Organizer: Allnutt, David[Allnutt.David@epa.gov]

From: Kelly, Christine M

Location: R10Sea-Room-14Elwha/R10-Rooms-Service-Center

Importance: Normal

Subject: Donlin Gold

Start Time: Tue 3/27/2018 10:15:00 PM

End Time: Tue 3/27/2018 10:45:00 PM

Required Attendees: Dgraham@donlingold.com

Donlin Gold Project Update



Briefing for Regional Administrator, EPA Region 10

EPA Region 10 Office - Seattle, WA

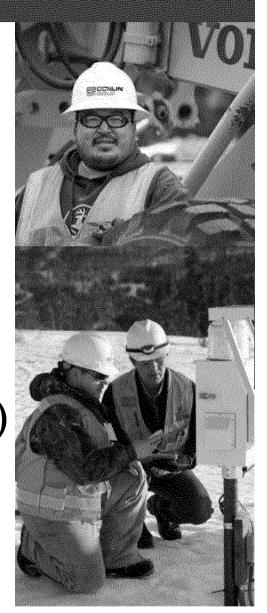
May 21, 2015



Donlin Gold Partners

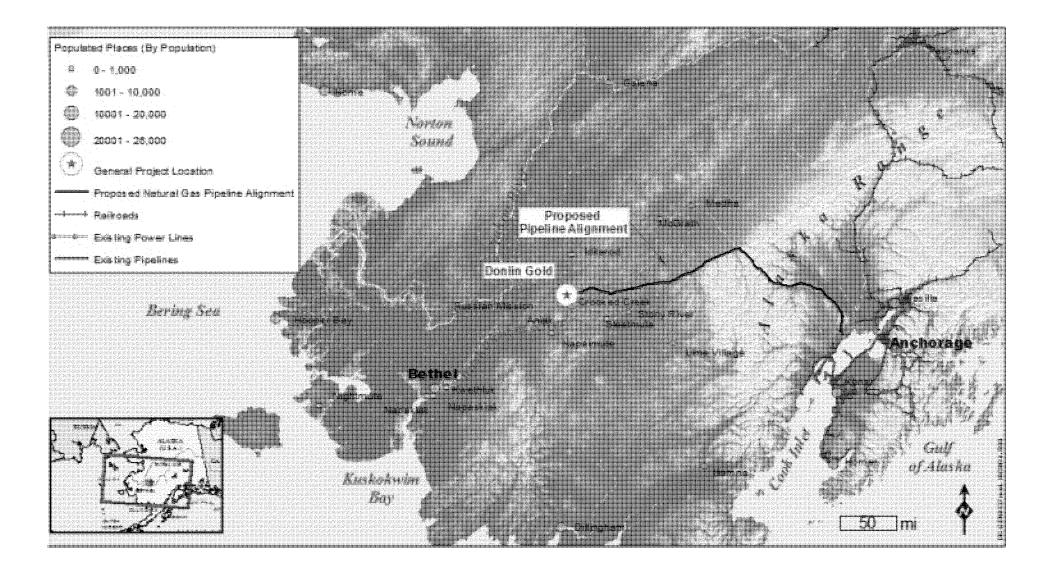


- Donlin Gold LLC
 - Barrick Gold U.S. (50%)
 - NovaGold Resources Alaska (50%)
- Calista Corporation
 - ANCSA Regional Corporation
 - Mining Lease Agreement
- The Kuskokwim Corporation (TKC)
 - ANCSA Village Corporation
 - Surface Use Agreement



Location Map





Project Overview



Reserves: 33.9 million ounces at 2.09 g/t gold

• Mine Life: 27.5 years

Production: ~ I.I million ounces/year

Mining: Open-pit ~420,000 tons/day (5.5:1 strip)

• Milling: 59,000 tons/day (float/POX/CIL)

Tailings: Fully-lined conventional storage facility

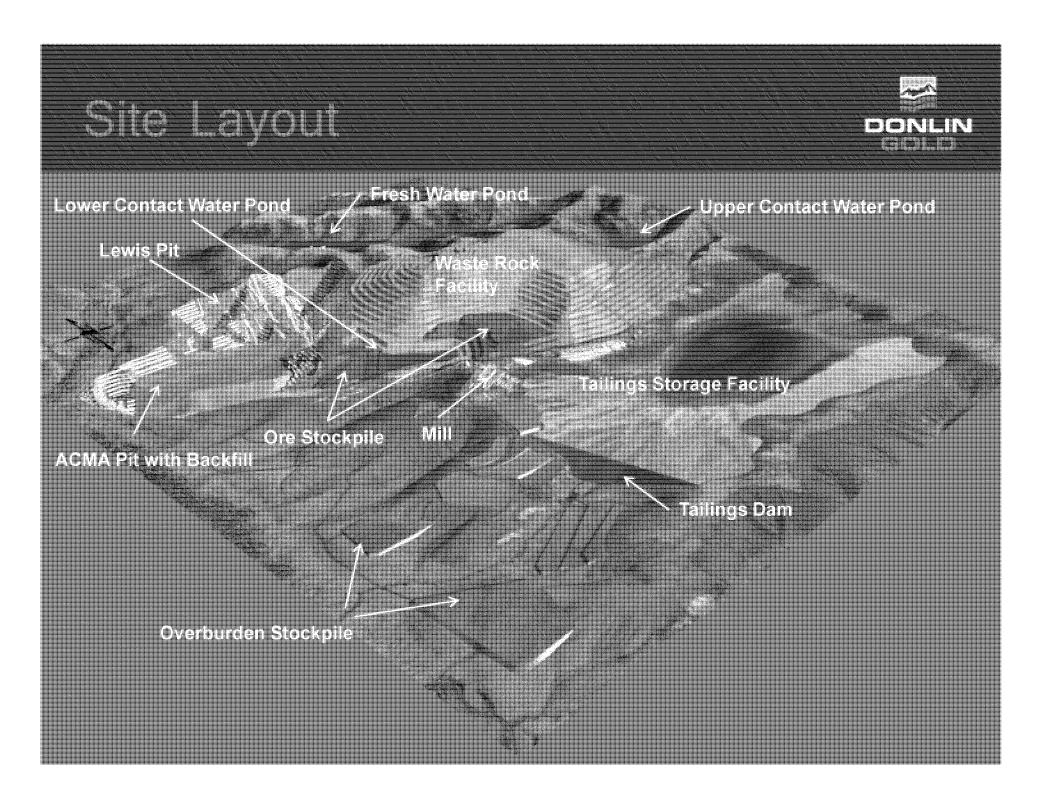
Infrastructure: 5,000 ft runway, 30 mile road, port,

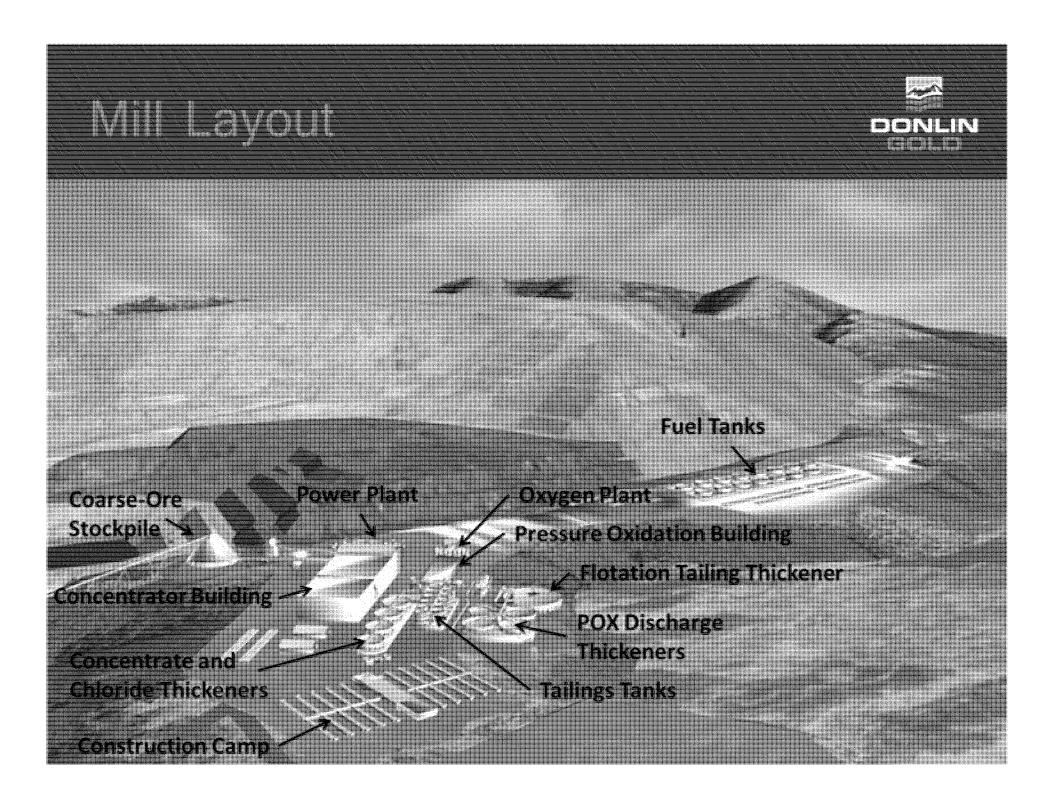
camp accommodations for 600

Logistics: Supplies barged up Kuskokwim River

Power: ~150MW on-site generation using natural gas

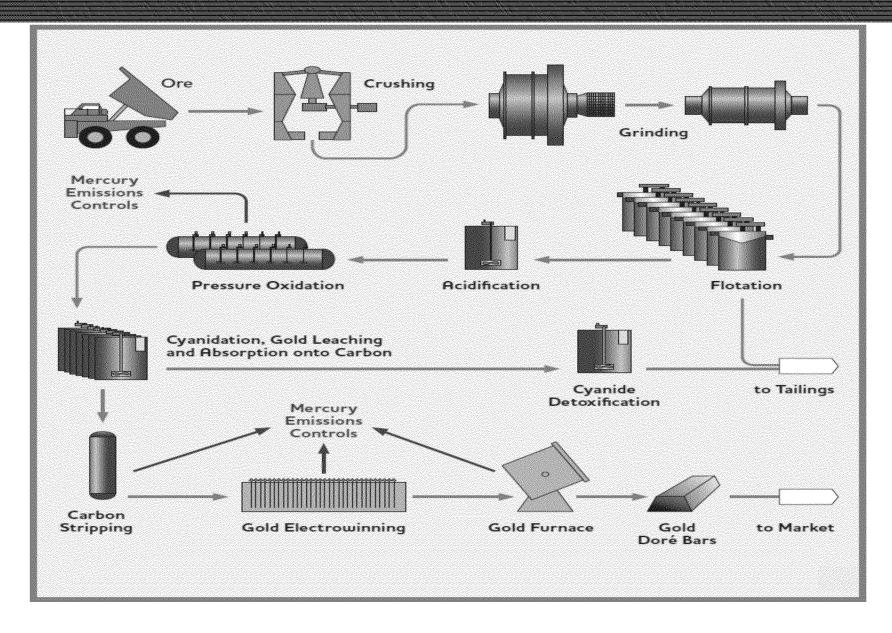
supplied by 315 mile natural gas pipeline

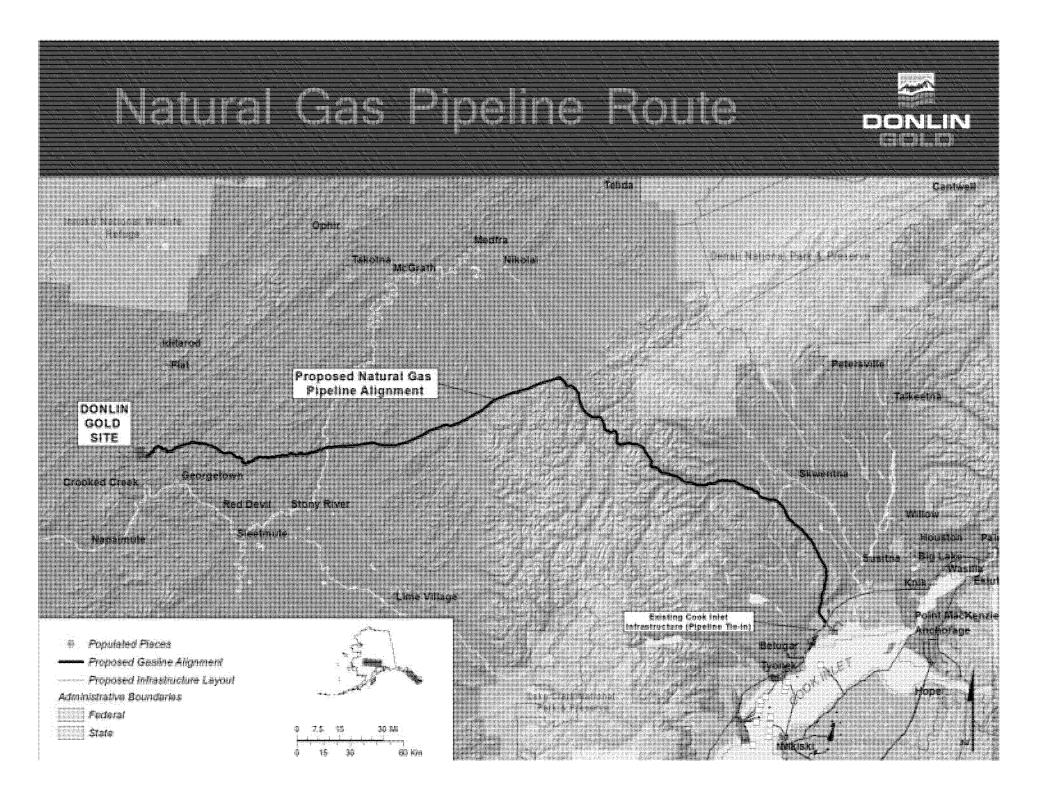


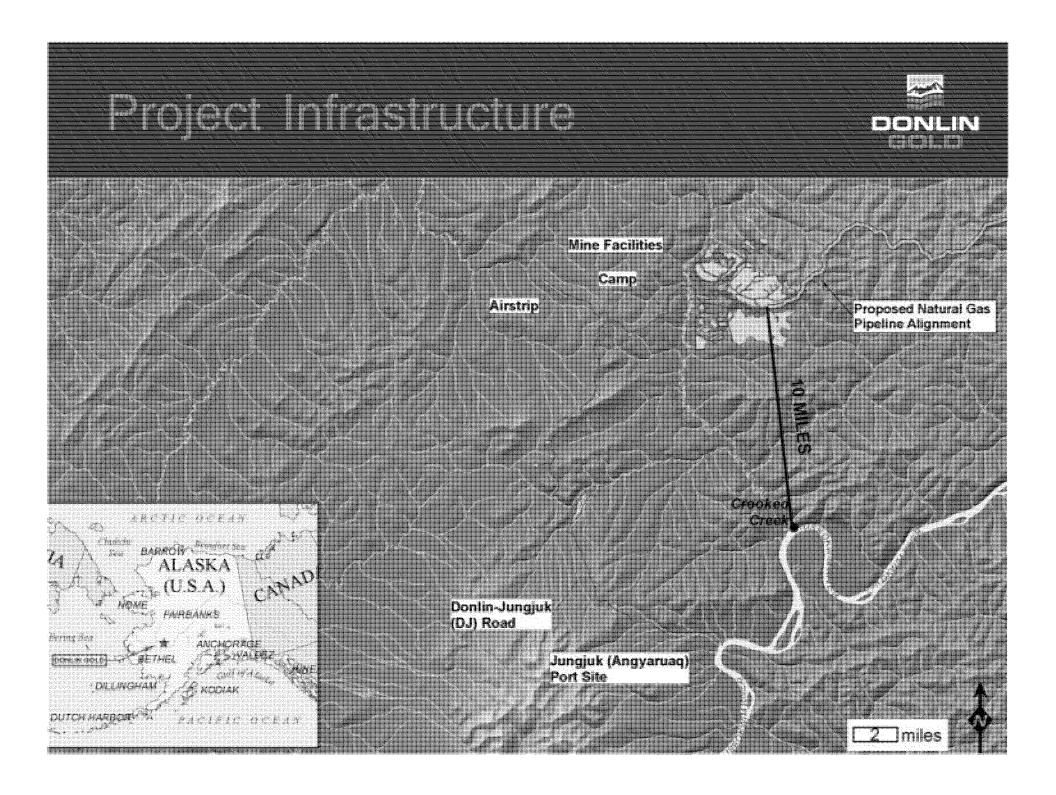


Process Flowsheet





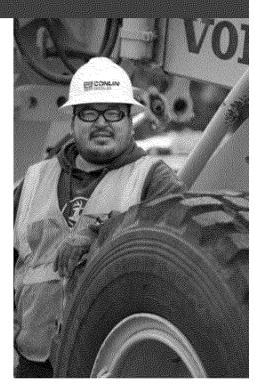




Economic Benefits



- Construction (3-4 years)
 - Payroll:~\$375 million/year
 - Workforce: >3,000
- Operations (>27 years)
 - Workforce: ~ 900
 - Direct Payroll: ~\$100 million/year
 - Indirect and induced payroll: ~\$60 million/year
 - Royalties to Calista and TKC
 - Statewide distribution of revenue through 7(i)
 - Mining license and corporate income taxes to State





Milestones

- Submitted Section 404 Application and Plans of Operations - July 2012
- Corps published NOI -December 2012
- Public Scoping completed March 2013
- Draft Environmental Impact Statement - ~ 2015

Alaska Dispatch News

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Alaska's Donlin Gold Project initiates permit process

Alaska Dispatch | August 8, 2012

Email A Print

On Tuesday, mining giant NovaGold Resources announced that Donlin Gold LLC has formally initiated the process of permitti Gold Project in Southwest Alaska. The company has submitted a Plan of Operations and a Wetlands Permit Application under of the U.S. Clean Water Act to federal and state regulators.

The Donlin Gold project is a flagship property of NovaGold and one of the largest known undeveloped gold deposits in the wor project is located about 120 miles from the regional hub of Bethel, Alaska, 12 miles up a remote valley near the Kuskokwim Riv

RELATED:

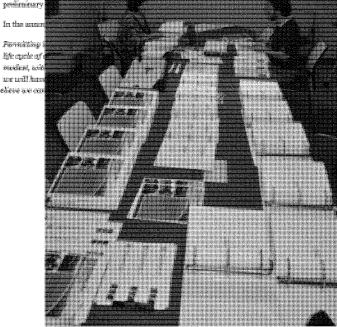
High cost of operating in remote Alaska threaten Donlin gold

Donlin mine moves slowly toward reality

dide muste of enandant, unit

Donlin Gold's value. We believe use our

NovaGold says it and its partner Barrick Gold are committed to advancing the Donlin Gold project t



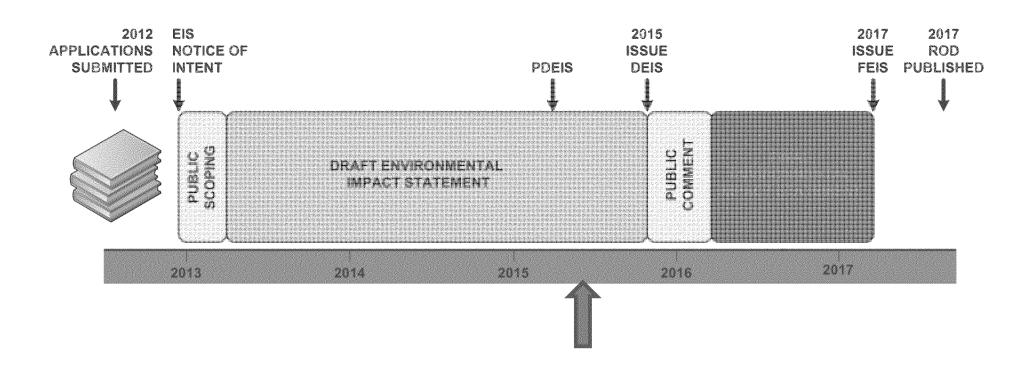
EIS Cooperating Agencies



- Corps of Engineers (Lead Agency)
 - AECOM (EIS Contractor)
- Federal Agencies
 - Environmental Protection Agency
 - Bureau of Land Management
 - US Fish and Wildlife Service
 - Pipeline & Hazardous Materials Safety Administration
- State of Alaska
 - Coordinated by Department of Natural Resources
- Tribal Cooperators
 - Village of Crooked Creek, Native Village of Chuathbaluk, Native Village of Napaimute, Knik Tribal Council, Village of Aniak, and Akiak Native Community

EIS Schedule





EIS Alternatives Development



PDEIS Alternatives

- No Action Alternative
- Proposed Project
- Reduced Barging Alternatives
 - Alternative port location, LNG haul trucks, diesel pipeline
- Mine Site Alternatives
 - Drystack tailings, excess water discharge
- Pipeline Route Alternatives

Alternatives Development Process Step 1: Identify Scoping Issues Step 2: Identify Screening Criteria . Step 3: Address Concerns through Options Step 4: Screen All Options Step 5: Create Action Alternatives Birch Tree Crossing Alternative to Reduce Barging

Community Engagement



Outreach

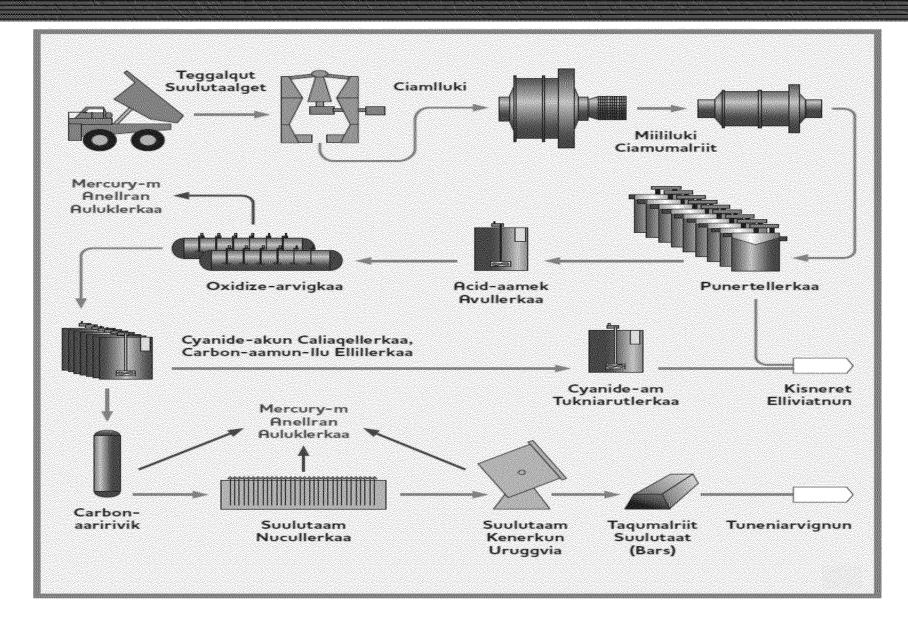
- Ongoing village meetings
- School visits
- Site and mine tours
- Bethel and Aniak offices
- Yup'ik presentations
- Communications
 - Newsletter
 - Project Booklets
 - Social Media

Personal Privacy / Ex. 6

Personal Privacy / Ex. 6

Ayagturallra

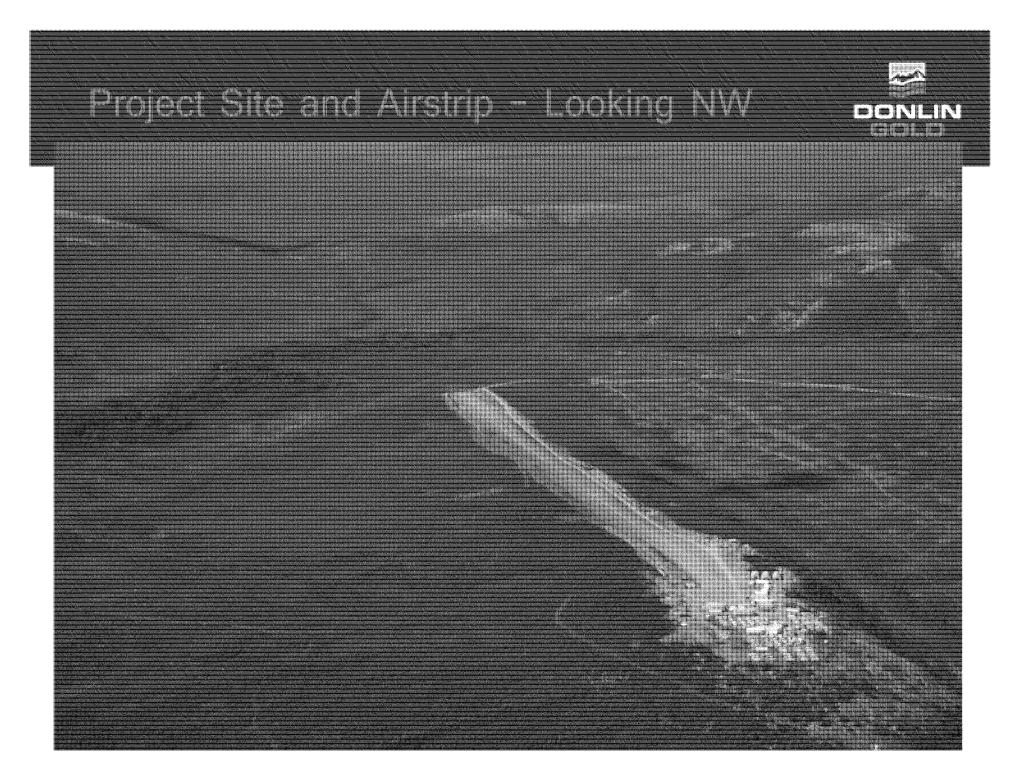




Donlin Gold



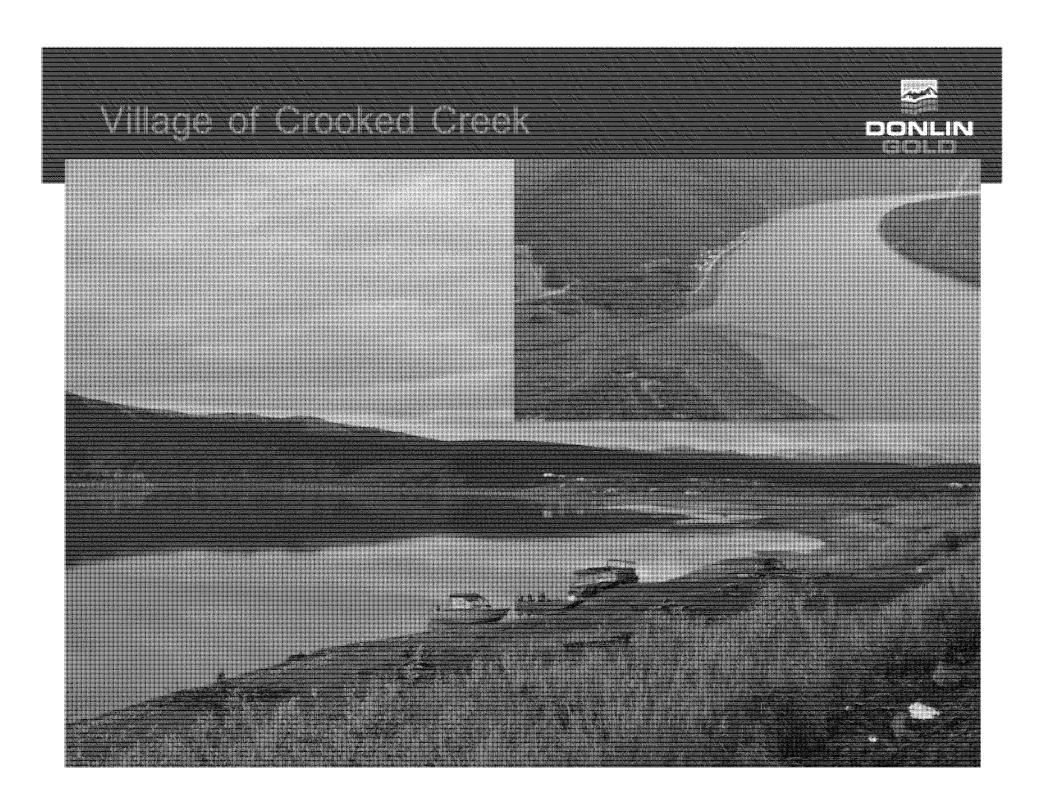
- Photo Journey:
 - Donlin Gold project site to Kuskokwim Bay

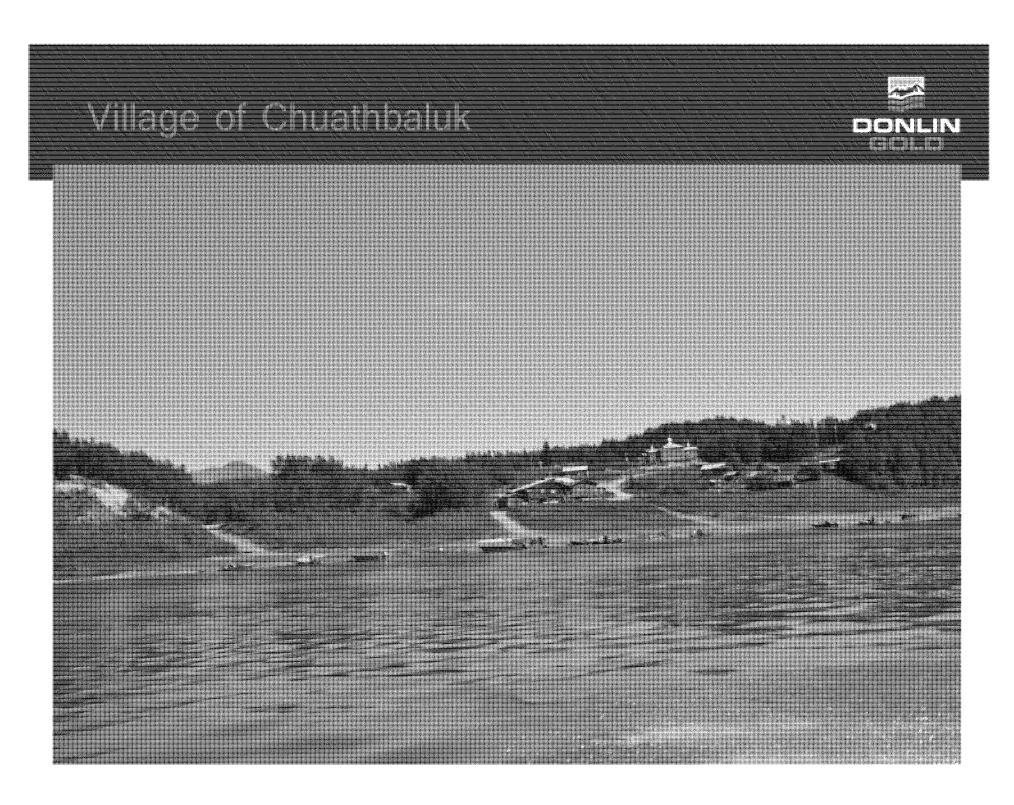


Crooked Creek valley downstream from site









View from Village of Napaimute



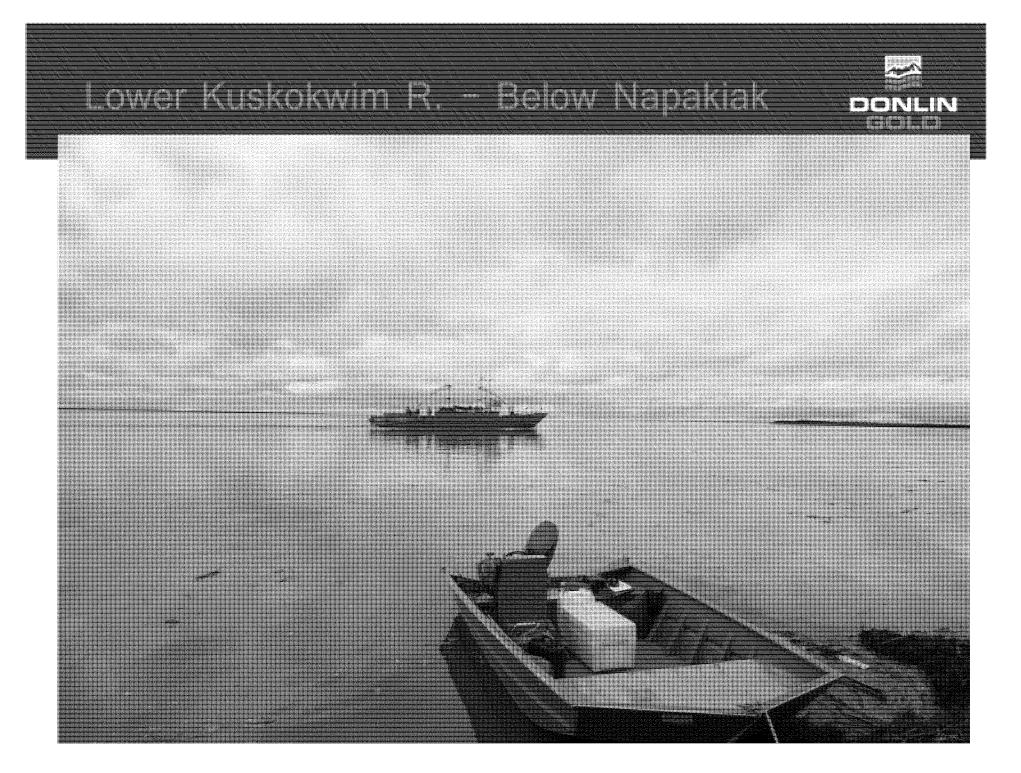


Middle Kuskokwim River - Driftnetter









More Information



- Website and Project Video:
 - http://www.donlingold.com/our-plan
- Project Description Booklet:
 - http://www.donlingold.com/wordpress/wpcontent/uploads/2011/01/Donlin_PD_Book_2012.
 pdf
- Army Corps' Donlin Gold EIS Website:
 - http://donlingoldeis.com/

To: R10-ORA[R10-ORA@epa.gov]

Cc: Littleton, Christine[Littleton.Christine@epa.gov]; Szerlog, Michael[Szerlog.Michael@epa.gov]; Jen,

Mark[Jen.Mark@epa.gov] From: Allnutt, David

Sent: Mon 3/28/2016 10:20:38 PM

Subject: RA meeting request for a decisional meeting in April RA or DRA Meeting Request Form - Donlin Gold Project.docx

See attached. Thanks.



R. David Allnutt, Director Office of Ecosystems, Tribal and Public Affairs U.S. EPA, Region 10 1200 Sixth Avenue, Suite 900 Seattle, Washington 98101-3140 (206) 553-2581













RA OR DRA MEETING REQUEST FORM

The RA and DRA Request that you complete the <u>entire</u> form below with as much detail as possible. Submit this form to your Office Director or associate Director. Once approved email it to the RA's Office at R10-ORA@EPA.gov

- Meeting Topic(s)/Title of Meeting or Event: Donlin Gold Project Draft EIS NEPA Review Comments and Rating, and Clean Water Act Section 404(q) Elevation
- Program Office: Ecosystems, Tribal and Public Affairs (ETPA)
- Urgency/Priority (high, medium, low): High
- Purpose of the meeting (informational, decisional, pre-briefing for external meeting, etc): Decisional
- If the meeting will involve external participants, what will the RA/DRA's role be in the event (site visit, presenter, site tour, listening session, etc): No external participants
- Brief background information/details: The Draft EIS for the Donlin Gold Project evaluates the impacts
 associated with an open pit hard rock gold mine, transportation infrastructure, and a natural gas pipeline.
 The proposed project may result in substantial impacts to wetlands and aquatic resources, subsistence
 activities, EJ communities, and potential exposure to contaminants. The Corps of Engineers issued a Public
 Notice under the CWA Section 404 concurrent with the Notice of Availability of the DEIS. There is

Deliberative Process / Ex. 5

- Location and/or suggested travel plans if offsite: On-site, RA's Office.
- When would you like to have this meeting? Please indicate if there are any deadlines Written comments on the Corps of Engineers DEIS and PN are due April 30, 2016. Preferred meeting date is April 21.
- Suggested length of meeting (typically briefings only last 45 minutes): 45 to 60 minutes
- Required Attendees (we will need a list of principal external participants before the meeting/event):
 David Allnutt, Dianne Soderlund, Teena Littleton, Michael Szerlog, Ken Marcy, Mark Jen, Matt LaCroix

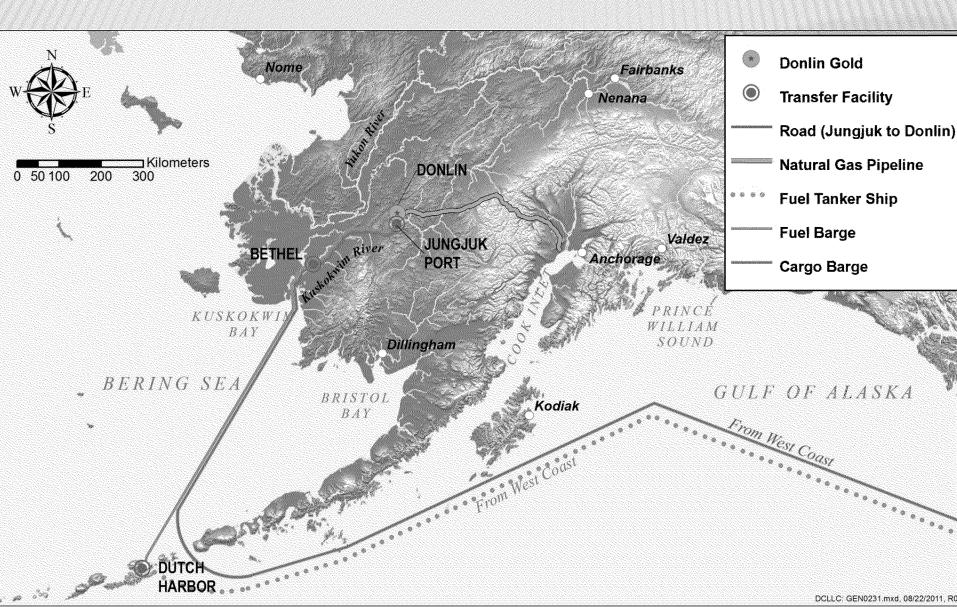
- Optional Attendees: Additional team members to be determined
- Equipment needed (VTC, phone line, thin client, PowerPoint, etc): Phone line, VTC with AOO, PowerPoint
- Superfund Site Charging: None

Crooked Creek Airstrip Exploration Camp DONLIN GOLD PROJECT May 2018

Tailings Storage Facility
TSF

PROPOSED PROJECT

■ MINE ■ TRANSPORTATION INFRASTRUCTURE ■ PIPELINE ■



STAKEHOLDERS

DONLIN GOLD LLC

LANDOWNERS

Mine Site (ANCSA)

- Calista Corp. (subsurface)
- Kuskokwim Corp. (surface)

Transportation Infrastructure

 Calista, Kuskokwim, State, City of Bethel

Natural Gas Pipeline Right-of-Way

- State of Alaska (66%)
- Federal BLM (31%)
- Calista Corp. & Cook Inlet (CIRI)

RESIDENTS (Y-K Region)

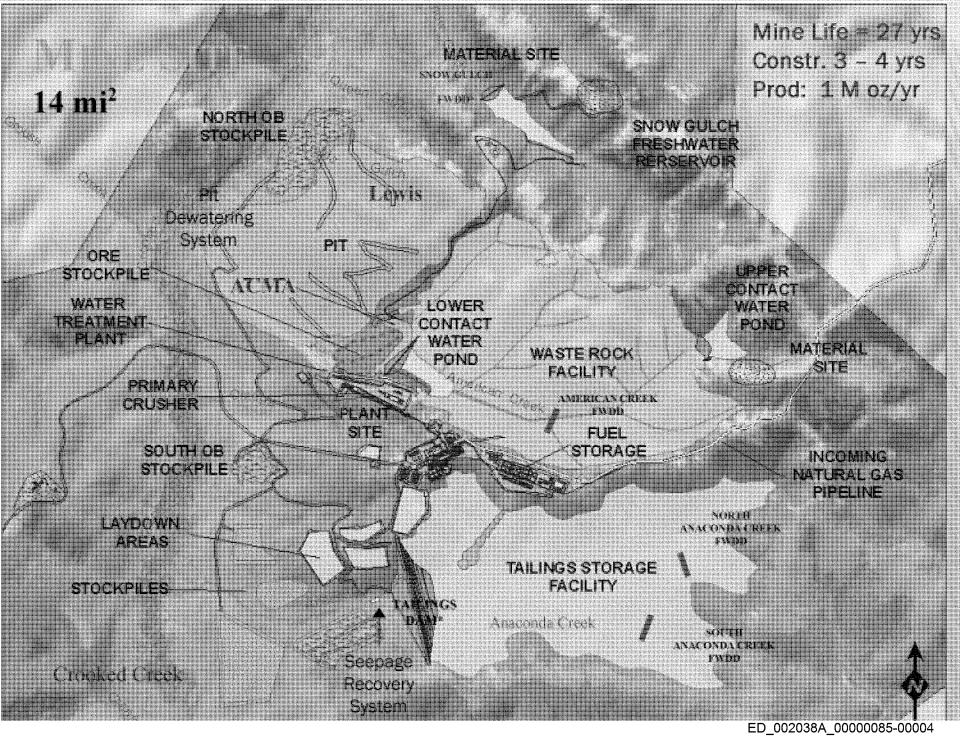
Alaska Tribes (66)

EIS DEVELOPMENT

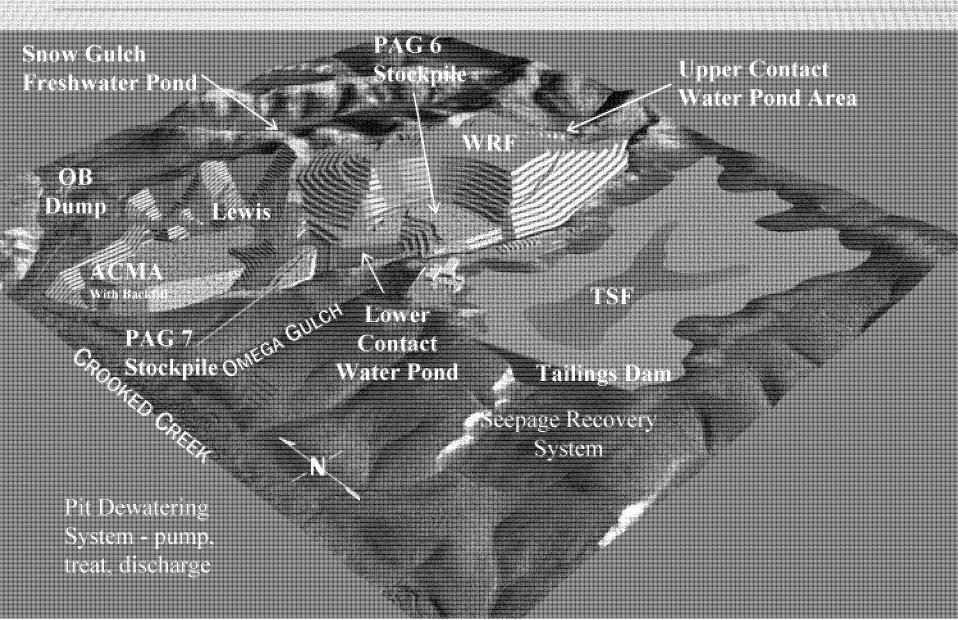
Corps of Engineers – Lead

Cooperating Agencies

- EPA, BLM, PHMSA, USFWS
- State ADNR, ADEC, ADFG
- Tribal Governments (5)



WATER MANAGEMENT



FINAL EIS REVIEW

- May 2016 provided comments on the Draft EIS: EO-2 rating;
- September 2017 provided comments on the Preliminary FEIS;
- Cooperating Agency working with the Corps and Donlin to reduce the adverse environmental impacts.
 - Preferred Alternative Not identified
 - Human Health Subsistence Impacts
 - Mine Site Facilities
 - Permafrost
 - CWA Section 404 Wetlands/Aquatic Resources
 - Compensatory Mitigation Plan
 - Crooked Creek Surface and Ground Water

AVOIDING & MINIMIZING IMPACTS

- Donlin Advisory, Technical Review, and Oversight Committee (DATROC)
 - Calista Corporation, Kuskokwim Corporation & Donlin
 - Subcommittees on Barging and Subsistence
 - Local native community representation
 - Communication, outreach, meetings, planning
- Design Features
 - Implement recommendations of the Mt. Polley Review Panel
 - Barging Grounding Response Plan
 - Crooked Creek Aquatic Resources Monitoring Plan
- Best Management Practices
- Mitigation Measures
- Monitoring and Adaptive Management

CWA 404(B)(1) GUIDELINES COMPLIANCE

The 2018 FEIS:

- Does not include 404(b)(1) Guidelines analysis
- Substantially reduced acreage values for aquatic resource impacts
- No information on aquatic resource functional change
- No evaluation of the potential for significant degradation
- No analysis of compensatory mitigation for impacted aquatic resources
- Misleading information about resource impacts and comparing alternatives

CWA 404(q) DISPUTE RESOLUTION

- CWA § 404 PN issued concurrent with the DEIS in 2016
 - EPA submitted a CWA § 404(q) 3(a) letter on May 31, 2016 and 3(b) letter on June 27, 2016
- Revised § 404 application submitted December 2017, includes revised PJD and CMP
- SPN issued 4/27/18, concurrent with the FEIS, soliciting comments only on the CMP. <u>Comments due May 29, 2018</u>
- Revised project is not the LEDPA and does not resolve our concerns. Proposed compensation is inadequate.
- Recommend we comment beyond the CMP to explicitly identify the path forward. Submit a positive letter about the project as a whole rather than a negative letter about the CMP.

CWA 404/COMPENSATORY MITIGATION

- Unavoidable direct, permanent impacts: 2,053 acres of wetlands and 156,755 linear feet (29.7 mi) of streams
- No compensation proposed for 1,753 acres of direct, life-of-mine "temporary" impacts, or for secondary impacts (e.g., Crooked Creek flow losses up to 100%)
- Permittee Responsible Mitigation proposed
 - Stream restoration in Crooked Creek watershed
 - Preservation in Chuitna River watershed
- Alaska District Credit/Debit Method not used no functional assessment included
- Proposed amount of compensation insufficient to fully offset even direct impacts

CWA 404: A PATH FORWARD, 1

- The LEDPA: minimizes impacts to the Kuskokwim River and Crooked Creek, and fully offsets all aquatic resource functional losses
- Alternative 3A: LNG-powered haul trucks
 - Saves millions by avoiding barging and diesel pipeline
 - We can live with Alternative 3B: Diesel pipeline
- Alternative 5A: Dry-stack tailings
 - Increases costs relative to Alternative 2
 - We can live with Alternative 2: sub-aqueous tailings
- Reduce Jungjuk Creek port access road by 10 miles
 - Potentially save millions, but not evaluated in FEIS
 - We can live with proposed road alignment

CWA 404: A PATH FORWARD, 2

- 2.3-mile long two-phase cutoff wall along Crooked Creek during mine construction. (approx. \$20M cost)
 - Donlin proposing as adaptive measure, included in FEIS
- Freshwater pipeline from Kuskokwim River. (\$39M-\$88M cost)
 - Donlin proposing as adaptive measure, not analyzed in FEIS
- Additional compensation to fully offset impacts. (>\$3M cost)
 - Donlin proposing compensation, not analyzed in FEIS
- Approx. 1.5% increase in \$6.7B capital costs; likely to be more than fully offset by savings from use of LNG.

EPA REVIEW SCHEDULE

April 27	Notice of Availability of the Donlin Gold Project Final EIS
(Friday)	
May 7	EPA Review Team Meeting
(Monday)	
May 9	COB - Technical/Program Reviewers Provide Comments
(Wednesday)	
May 10	Lill and Mark ravious commants and passes "males" leaves
	Jill and Mark review comments and screen "major" issues
(Thursday)	Briefing for OERA Office Director et al.
May 14	OOB - Draft EPA Comment Letter provided to Reviewers (Noon deadline)
(Monday)	COB - Draft EPA Comment Letter to Unit Manager
May 17	COB - Management/Legal Review Complete (Jill, David, Ashley)
(Thursday)	Briefing for Regional Administrator
May 18-23	HQ Review (OFA, Water)
(Friday - Wednesday)	COB Wed, May 23 rd – return to R10
May 24	OOB - Draft Final EPA Comment Letter to Reviewers (Noon Deadline)
(Thursday)	
May 25	COB - Final EPA Comment Letter submitted to the Corps
(Friday)	
	OOD 534-1 504 OWA 404 Label 4 1- 15- 15- 0-1-
May 29	COB - Final EPA CWA 404 Letter due to the Corps
(Tuesday)	



Meeting/Event Request for Region 10 - Office of the Regional Administrator

Please submit this form for any official briefings/updates for the RA/DRA or event attendance requests.

Today's Date:
3 May 2018
Requesting Office:
OERA
Title/Topic of the Meeting/Event (please define any acronyms):
Donlin Gold Clean Water Act Section 404 permit
Administrator or Donato Administrator or Both 2
Administrator or Deputy Administrator or Both? Both
Вош
Purpose (informational, decisional, other):
Informational, some strategic direction requested
Role of RA/DRA:
Obtain update on project; approve proposed path forward; identify messaging/outreach strategy
Obtain update on project, approve proposed path forward, identity messaging/oddreach strategy
Last possible date for the meeting (if urgent, explain why) or date of event:
May 25, 2018—Comment letter on Special Public Notice is due to the Corps on May 29.
Requested Time Length:
45 minutes
EPA Staff (Required):
David Allnutt, Krista Mendelman/Michael Szerlog, Matt LaCroix, Mary Anne Thiesing, Ashley Palomaki, Mark
Jen, Jill Nogi, Tami Fordham; Marianne Holsmann/staff
EPA Staff (Optional):
Cara Steiner-Reilly, Staff from Tribal unit
External Participants (please provide email address and/or point of contact):
None
Audio Line or Video Conference or other technology needs required (provide details)?
Video Conference to Raven in AOO; Audio line
,
Point of Contact for the Meeting:
Mary Anne Thiesing, X 3-6114; Matthew LaCroix, X1-1480

NOTE: Please submit Meeting Requests to R10-ORA@epa.gov and copy your OD/Associate. All briefing materials must

be provided by 3:00 pm three days before your meeting or the meeting may be rescheduled.

ED_002038A_00000086-00001

On April 27, 2018, the U.S. Army Corps of Engineers, Alaska District issued Special Public Notice SPN-1995-120, announcing the availability of the Final Environmental Impact Statement for the proposed Donlin Gold Mine, which would be located 10 miles north of the Village of Crooked Creek, Alaska, within the watershed of the Kuskokwim River and associated tributaries. The SPN also requested comments on the applicant's proposed Compensatory Mitigation Plan, which was provided as an Appendix to the FEIS, and which describes several permittee-responsible compensatory mitigation proposals by which the applicant proposes to offset the project's impacts to Waters of the U.S., including streams, wetlands, and marine resources.

A Public Notice of the Section 404/10 application for the proposed project was originally issued in early 2016, along with a Draft EIS. At that time, there was no jurisdictional determination by the Corps that identified the extent of waters and wetlands that would likely be lost or otherwise impacted by the mine and its associated infrastructure, and so there was no way to determine with any certainty what the magnitude of the impacts would be. There was also no compensatory mitigation plan provided. The EPA, which is a cooperating agency on the EIS, submitted comments on the Draft EIS pursuant to its responsibilities under the National Environmental Policy Act. We also submitted, under separate cover, comments on the Section 404 application, and notified the District that we had identified the proposed project as one which could cause substantial and unacceptable adverse effects to an Aquatic Resource of National Importance, namely, the Kuskokwim River and its associated tributaries Crooked Creek, American Creek, and Anaconda Creek. Region 10 submitted a §404(q) Part IV 3(a) on May 31, 2016, which was followed on June 27, 2016 with a Part IV 3(b) letter. The 3(b) letter that the proposed project would cause substantial and unacceptable adverse effects, and requested that the District notify us should the Corps choose to issue a permit for the proposed project.

We have continued to coordinate with the Corps through the development of the FEIS. In January of 2017, the Corps confirmed a preliminary Jurisdictional Determination. In addition, Donlin has made some modifications to its project design. The proposed project would include all mining facilities (e.g., open pit, waste rock facility, overburden storage pile and tailings storage facility) east of Crooked Creek; a proposed Jungjuk (Anyaruaq) Port site approximately 178 river miles upstream of Bethel and about 57 river miles upstream of Aniak, an All-Season Access Road between the port and mine site, an Airstrip, and housing facility (camp); and a 315-mile natural gas pipeline and associated pipeline-related facilities from Cook Inlet (near Beluga) to the proposed mine area which would provide natural gas for power generation, project heat, and general energy demands. The proposed project would require placement of 4,368,300 cubic yards of fill within 3,415 acres of wetlands and 226,190 linear feet (42.8 miles) of WOTUS; 538 acres and 53,346 linear feet of stream losses are classified by the applicant as temporary short-term impacts to WOTUS, which would be restored concurrently or immediately after construction of the proposed project, which is approximately four years. The Section 10 impacts to navigable waters include 3-acres and 11,975 linear feet of WOTUS. In addition, surface and groundwater in drainages below the mine would be decreased during mine operations, resulting in secondary impacts due to lowered flow in stream drainages, which would likely reverberate downstream. Following the effective life of the mine (approximately 27 years), mine closure would occur, during which facilities would be decommissioned and removed, areas reclaimed, underground areas plugged, and a water management plan implemented for the pit lake and tailings facility would be implemented. The TSF would require management and monitoring in perpetuity.

The Compensatory Mitigation Plan that was submitted as part of the FEIS is still undergoing development. At present, it comprises two Permittee-responsible components; viz., the restoration and preservation of areas comprising approximately 101.7 acres of wetlands and riparian areas with 8,501 linear feet (1.6-miles) of stream, and establishment of another 71.0 acres of riparian preservation buffers, in historical placer mining areas in the Upper Crooked Creek watershed. In addition, a total of 5,888 acres, including approximately 2,558 acres of wetlands and ponds, and an additional 3,330 acres of upland riparian areas, stream area, and buffers, and 228,325 linear feet (43.2-miles) of streams in the Chuitna watershed are proposed to be preserved.

NOTE: Please submit Meeting Requests to R10-ORA@epa.gov and copy your OD/Associate. All briefing materials must be provided by 3:00 pm three days before your meeting or the meeting may be rescheduled.

The information in	the FEIS is still not complete for the purpose of determining whether the proposed project
would cause or cor	ntribute to significant degradation of Waters of the U.S. If the Corps makes such a finding, it
must deny the per	mit. We have identified a number of measures that might, if required, offset the worst of the
proposed project's	impacts. We believe that our comment letter should identify the information still needed to
allow a complete review, and also offer suggestions on all of the measures that could offset the worst of the	
project's impacts.	
	Attorney Client / Deliberative Process / Ex. 5
Attorney Client / Deliberative Process / Ex. 5	
-	

The proposed project has been of great interest to both the governor of the state, as well as all members of the Alaska Congressional delegation.

NOTE: Please submit Meeting Requests to R10-ORA@epa.gov and copy your OD/Associate. All briefing materials must be provided by 3:00 pm three days before your meeting or the meeting may be rescheduled.

To: LaCroix, Matthew[LaCroix.Matthew@epa.gov]

Cc: Szerlog, Michael[Szerlog, Michael@epa.gov]; Littleton, Christine[Littleton.Christine@epa.gov]; Soderlund,

Dianne[Soderlund.Dianne@epa.gov]; Allnutt, David[Allnutt.David@epa.gov]

From: Jen, Mark

Sent: Mon 11/30/2015 6:09:31 PM

Subject: Donlin Gold Project - Corps Public Notice of the 404 Permit Application

POA-1995-120 Crooked Creek Donlin 404 Section 10 PN.pdf



I wanted to provide you with the Corps' CWA 404 Public Notice for the Donlin Gold Project (Attached). Since there are a number of associated figures, please download them from the Corps' website:

http://www.poa.usace.army.mil/Missions/Regulatory/PublicNotices/tabid/3350/Article/631372/poa-1995-120-crooked-creek.aspx

Comments are due no later than April 30, 2016...

I understand that you will be preparing the 404 comment letter concurrently during the NEPA 309 review and comment process. We will need to coordinate on our review comments and conduct a joint management briefing as we get closer to the comment deadline.

Thanks

Mark S. Jen

U.S. Environmental Protection Agency, Region 10 Alaska Operations Office 222 W. Seventh Avenue #19 Anchorage, Alaska 99513-7588 (907) 271-3411



ANCHORAGE Regulatory Division (1145) CEPOA-RD Post Office Box 6898 JBER, Alaska 99506-0898

Public Notice of Application for Permit

PUBLIC NOTICE DATE:

November 25, 2015

EXPIRATION DATE:

April 30, 2016

REFERENCE NUMBER:

POA-1995-120

WATERWAY:

Crooked Creek

Interested parties are hereby notified that a Department of the Army permit application has been received for work in waters of the United States as described below and shown on the enclosed project drawings.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Keith Gordon at (907) 753-5710, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at POA.donlingoldeis@usace.army.mil if further information is desired concerning this notice.

APPLICANT: Donlin Gold, LLC, 4720 Business Park, Blvd., Suite G-25, Anchorage, AK 99503

AGENT: None

<u>LOCATION</u>: The proposed project mine site is located 277 miles west of Anchorage and 10 miles north of the middle Kuskokwim River village of Crooked Creek Alaska. The proposed pipeline originates at western Cook Inlet and terminates at the mine site. Please refer to Tables, 15.1, 15.2, 16.1, and 16.2 of the November 2014 version of the Donlin Gold Corps of Engineers Permit Application for more specific location information, including the pipeline alignment and transporation infrastructure components. Tables 15.1 and 15.2 can be found on pages A 4-16 of Appendix A of the application. Tables 16.1 and 16.2 can be found on pages A 17-20 of Appendix A of the application. The Donlin Gold Mine Application can be viewed at: www.donlingoldeis.com/EISDocuments.aspx.

<u>SPECIAL AREA DESIGNATION</u>: The proposed project would potentially impact lands with the following special use designations:

- -Susitna Flats State Game Refuge;
- -Lake Creek, Alexander Creek, Kroto and Moose Creek Recreation Rivers;
- -Willow Creek State Recreation area: and
- -the Iditarod National Historic Trail

PURPOSE:

The purpose of Donlin Gold's proposed project is to profitably produce gold from ore reserves owned by Calista Corporation, an Alaska Native Claims Settlement Act (ANCSA) corporation, utilizing open-pit mining methods and conventional, proven milling processes suitable for the characteristics of the ore reserves and for application in remote western Alaska.

The need for the proposed project is to enable Calista Corporation and The Kuskokwim Corporation (TKC) to maximize economic benefits for their Native shareholders, from lands selected under ANCSA for their mineral potential, by producing gold to meet world-wide demand. Gold is an established commodity with international markets.

Donlin Gold also supplied the following statement to describe the purpose and need for the gas pipeline component of this project:

The purpose of the Donlin Gold natural gas pipeline component is to provide a long-term stable supply of natural gas to meet energy needs for the proposed Donlin Gold Project. The proposed pipeline is designed as a privately-owned facility to support the proposed mine operation. Natural gas supplied by the pipeline would be used to create electricity for mine operations and heat for buildings. Donlin Gold has determined that the use of natural gas supplied via the proposed pipeline is the most practicable, cost-effective, and environmentally acceptable means of providing a reliable long-term energy source for the proposed project.

Donlin Gold's need for the pipeline is driven by the remote location of the mine site. There are no existing or readily useable resources that can provide sufficient energy needed for development and operation of the mine within Donlin Gold's timeframe. The remote location does not have sufficient, naturally occurring gas resources, or other energy sources of the magnitude necessary to support mine development and operations. No existing transportation or utility infrastructure services are available to the proposed mine site or surrounding area. Access to the mine site is seasonal via the Kuskokwim River or by aircraft, as weather conditions allow.

<u>PROPOSED WORK</u>: If permitted as currently proposed all work would be performed in accordance with the drawings that accompany this public notice.

Donlin Gold is proposing the development of an open pit, hardrock gold mine. The proposed Donlin Gold project includes land leased from Calista Corporation (Calista), The Kuskokwim Corporation and CIRI. All three are Alaska Native Claims Settlement Act (ANCSA) regional corporations. Calista leases include a portion of the total surface estate and all of the subsurface estate. Calista holds the subsurface (mineral) estate for ANCSA lands in the region. The Kuskokwim Corporation also owns a portion of the surface estate potentially impacted. CIRI owns a portion of the surface estate upon which a portion of the proposed pipeline would be built. The remainder of potentially affected lands (principally pipeline impacts) are owned primarily by the State of Alaska or U.S. Bureau of Land Management (BLM).

In addition to the mine area, the Project also includes the proposed development of a natural gas pipeline originating from Cook Inlet, a port on the Kuskokwim River (Jungjuk Port site), an access road to the mine site, 5000-foot airstrip, man camps and other related mining and processing infrastructure. These components are further described below. The proposed Donlin Gold project would require 3 to 4 years to construct and have an active mine life of approximately 27.5 years.

The gold resource is hosted in intrusive and sedimentary rock in two main areas, Lewis and American Creek Magnetic Anomaly (ACMA), with 80 percent found in intrusive rock.

The following are the major component and/or process related components of the proposed project:

- Open pit with access for mining proven and probable reserves totaling 556.5 million short tons (Mst) (504.8 million tonnes [Mt]), with an average grade of 0.061 troy ounces per short ton (oz/st) (2.09 g/t) and mill processing at a rate of 59,000 stpd (53,500 tpd);
- Tailings storage facility (TSF) with a total capacity of approximately 335,000 acre-ft (413 million cubic meters [Mm3]) of mill tailings, decant water, and stormwater;
- Waste rock facility for placement of approximately 2,460 Mst (2,232 Mt) of waste rock;
- Water treatment plant with a design capacity of 2,188 gpm (497 cubic meters per hour [m³/h] for treatment of dewatering water to permitted standards;
- Power plant with a total connected load of 227 megawatts (MW), an average running load of 153 MW, and a peak load of 182 MW;
- Natural gas pipeline for transporting natural gas to the power plant via a 315.2-mile (507.3 km), 14-inch– (35.5-centimeter [cm]–) diameter buried steel pipeline originating from an existing 20-inch (51 cm) natural gas pipeline near Beluga, Alaska;
- Upriver port facility for serving as the terminus between river barge transport and road transport to the mine site, to transport approximately 37,500,000 gallons (gal) (141,952,942 liters [L]) of fuel and approximately 100,000 tons (90,718 tonnes [t]) of non-fuel supplies per year;
- Mine access road for providing access between the port facility and mine site via a 30-mile (48 km) two-lane, gravel-surfaced access road;
- 5,000 ft long x 150 ft wide (1,524 meter [m] x 45 m) gravel airstrip approximately 9 road miles (14.5 km) west of the mine site; and
- Permanent accommodation camp located along the access road approximately 2.4 miles (3.9 km) from the mine site, for housing up to 638 people during operations.

A further description of primary project components and processes follows.

Milling components would include a gyratory crusher, semiautogenous grinding and ball mills, followed by flotation, concentration, pressure oxidation, and carbon-in-leach process circuits. Conventional carbon stripping and electrolytic gold recovery will produce an end product of gold doré bars, which would be shipped to a custom refinery for further processing. State-of-the-art mercury abatement controls would be installed at each of the major thermal sources, including the autoclave, carbon kiln, gold furnaces, and retort.

A tailings storage facility (TSF) would encompass an area of 2,351 acres (951 ha) with a total capacity of approximately 335,000 acre feet (acre-ft) (413 million cubic meters) of mill tailings, decant water, and stormwater. Total waste rock material is estimated at 2,990 Mst (2,720 Mt), with approximately 2,460 Mst (2,232 Mt) to be placed in a waste rock facility (WSF) located outside the mine pit and the remaining waste rock to be backfilled in the pit.

Water that comes into contact with mined materials would be collected in two contact water dams (CWDs). CWD water and pond water reclaimed from the TSF would be reused in the processing facility. Snow Gulch reservoir water would also be used for processing during times when site waters do not provide adequate supply. During times of year where there is a surplus of water, pit dewatering water and other site waters (CWD water, TSF waters) would be treated via Advanced Water Treatment at a water treatment plant to meet water quality standards before discharge to Crooked Creek.

Construction of the mine facilities would require the excavation or filling of an estimated 6,952 acres of wetlands. In addition, 310.8 acres would be impacted due to vegetation clearing. Fill material would consist primarily of waste rock, overburden and material from local sources.

Electric power for the proposed Donlin Gold project site would be generated on site from a dual-fueled (natural gas as primary and diesel) reciprocating engine power plant with a steam turbine that uses waste heat recovery from the engines. The power plant would have two equal halves, each consisting of six reciprocating engines, and a single separate steam turbine for a total connected load of 227 megawatts (MW), an average running load of 153 MW, and a peak load of 184 MW.

Natural gas would be transported to the Donlin Gold mine site via a 315.2-mile (507.3 km), 14-inch– (35.5 centimeter [cm]) diameter buried steel pipeline originating from an existing 20-inch (51 cm) natural gas pipeline near Beluga, Alaska. Construction of the natural gas pipeline would require the excavation or filling of an estimated 2,376 acres of wetlands. In addition, 780.9 acres would be impacted due to vegetation clearing. Fill material would be from seventy proposed material sites along the pipeline route.

General cargo for operations would be transported to Bethel by marine barge from terminals in Seattle; Washington; Vancouver, BC, or Dutch Harbor, Alaska. At Bethel, cargo would be transferred to the dock for temporary storage or loaded onto river barges for transport up the Kuskokwim River to a port constructed at Jungjuk Creek. A 30-mile (48 km) all-season access road would be constructed from the proposed Jungjuk Port to the mine site.

Diesel fuel would be transported to Dutch Harbor by tanker, then to Bethel by marine barge. At Bethel fuel would either be transferred directly to double-hull river barges for transport to Jungjuk Port, or be off-loaded for temporary storage. From Jungjuk Port, fuel would be delivered to the mine site fuel storage facility by tanker trucks.

The dock at the Jungjuk Port site would be reclaimed at the end of the mine life. The access roads and airstrip would be maintained to provide access for post-closure activities including long-term monitoring and operating the pit water treatment plant.

Construction of the Jungjuk Port and mine access road would require the excavation or filling of an estimated 430.1 acres of wetlands and 4.6 acres of vegetation clearing. Gravel fill material to construct and maintain the port, roads, and airstrip would be sourced from 13 proposed material sites located along the road.

The Donlin Gold project would be a permanent camp operation accessible primarily by a 5,000-foot (1,524 meter [m]) gravel airstrip. The camp would be capable of housing 638 workers.

Reclamation and closure planning has been based on the concept of "design for closure," which was initiated in the very early stages of the Donlin Gold project development to address postclosure impacts on the physical resources of the area and on local communities. In addition to reclaiming disturbances associated with mining, processing, and ancillary support facilities in a manner compatible with the designated post-mining land use.

Concurrent reclamation of some facilities would occur during operations (e.g., stockpiles, portions of the WRF). At the end of mining activities, the mine area would be reclaimed and closed. The TSF would be reclaimed by pumping TSF water to the open pit and the TSF surface would be covered and revegetated. The WRF would be re-contoured and revegetated. Buildings, equipment and materials not needed for closure activities would be demolished, removed, or buried at permitted land disposal sites on-site. The open pit is projected to fill with water and require a discharge approximately 50 years after mining ceases, at which time the water would be treated to meet water quality standards before discharging to Crooked Creek.

Construction of all facilities would require the excavation or filling of an estimated 9,758.1 acres of wetlands and 1,096.3 acres of vegetation clearing.

NOTE TO READER: The project as originally proposed by Donlin Gold LLC was estimated to potentially impact 7,024 acres of wetlands or other Waters of the US via the placement of fill, dredging or other regulated activities. However, due to the methodology used by Donlin LLC to complete the draft jurisdictional determination, USACE is required to assume some areas potentially affected by the proposed project are jurisdictional Waters of the US that are not expected to be jurisdictional after further delineation work is done. Therefore, the original estimated jurisdictional impact of 7,024 acres of Waters of the US was expanded to the 9,758.1 acres (noted above for the estimated total impact). USACE expects that additional delineation work will result in an estimated total impact much closer to the original 7,024 acres originally estimated.

ADDITIONAL INFORMATION

This project description is based on the Preliminary Department of the Army (DA) Permit Application under Section 404 Clean Water Act (CWA) and Section 10 Rivers and Harbors Act submitted December 2014 (Donlin, 3PPI 2014) and the Permit Application Update Memorandum submitted October 2015 (Donlin 2015). The original preliminary DA Permit Application that was submitted to the Corps in July 2012 was superseded by the December 2014 Application.

Additional information can also be found in the following documents, previously supplied to the Corps, which were developed to support State of Alaska permits and approvals for the Project. These plans describe project design features, environmental controls, and monitoring that would be implemented to minimize impacts to the environment during Project construction, operations, and closure. These plans may be revised based on final State permits and approvals.

- Donlin Gold Project Plan of Operations
- Volume I: Project Description (July 2012)
- Volume II: Water Resources Management Plan, July 2012 (update to this Plan is forthcoming)
- Volume III: Integrated Water Management Plan (July 2012)
- Volume IIIA: Monitoring Plan (July 2012)
- Volume IIIB: Waste Rock Management Plan (July 2012)
- Volume IV: Reclamation and Closure Plan (June 2015)
- Volume VI: Transportation Plan (February 2013)
- Donlin Gold Project Pipeline Plan of Operations (December 2013)

Federal Agency Permits and Authorizations Potentially Included in the EIS Review Process

Bureau of Land Management (BLM)

Surface Estate Lease (facilities on managed lands)
Land Use Permit (wind farm and borrow pit activities on BLM managed lands)
Access Right-of-Way (BLM managed lands)

U.S. Army Corps of Engineers (USACE)

Nationwide Permit 6 – Survey Activities (wetlands)
CWA Section 404 Permit (wetlands dredge and fill)
River and Harbors Act (RHA) Section 10 (structures in navigable waters)
Section 106 Historical and Cultural Resources Protection Act Clearance
RHA Sections 9 & 10 (dams and dikes in navigable waters – interstate commerce)

U.S. Coast Guard (USCG)

RHA Section 9 Construction Permit (bridge across navigable waters)
Marine Protection, Research, and Sanctuaries Act compliance [ocean dumping (mooring blocks) requires a permit]
Anchorage Permit
Application for Cargo Transfer Operations
Port Operations Manual Approval
Facility Response Plans
Private Aids to Navigation Authorization
Tug and Barge Vessel Inspections

Bureau of Alcohol, Tobacco, and Firearms (BATF)

License to Transport Explosives

Permit and License for Use of Explosives

Federal Communications Commission (FCC)

Radio License

Notice to Mainers

Federal Aviation Administration (FAA)

Notice of Landing Area Proposal (existing airstrip) Notice of Controlled Firing Area for Blasting Notice of construction, activation and de-activation of airports

Homeland Security

TSA Inspection Program at Airport Chemical Facility Anti -Terrorism Standards

U.S. Department of Transportation (USDOT)

Hazardous Materials Registration
Pipeline and Hazardous Materials Safety Administration approvals

Mine Safety and Health Administration (MHSA)

Mine Identification Number Notification of Legal Identity Training and Retraining of Miners Plan

National Marine Fisheries Service (NMFS)

Marine Mammal Protection Act Essential Fish Habitat Critical Habitat Management Plan

U.S. Fish and Wildlife Service

Section 7 of the Endangered Species Act, Consultation Biological Assessment or Biological Opinion

Potential State Agency Permits and Authorizations

Alaska Department of Natural Resources, Division of Mining, Land, and Water

Plan of Operations review Reclamation Plan Approval

Mining License (required regardless of land tenure; for tax revenue)

Land Use Permits and Leases (activities on state land)

Right-of-Ways, Easements, Material Sales, etc.

Right-of-Ways (natural gas pipeline)

Certificate of Approval to Construct a Dam

Certificate of Approval to Operate a Dam

Water Dam Operation & Maintenance Manual approvals

Temporary Water Use Permit

Appropriation of Water Permit/Certificate to Appropriate Water

Tidelands/Submerged Lands Permit

Shoreland Permit

Office of History and Archaeology/State Historic Preservation Office (SHPO)

Section 106 Historical and Cultural Resources Protection Act Clearance Archaeology Collection Permit Field Archaeology Permit

Division of Forestry

Burning Permits

Alaska Department of Fish and Game Habitat Division

Fish Habitat Permits

Fish Passage Permits (Culverts and Bridges

Permit to take, relocate, haze, or destroy birds or their eggs or nests, mammals for public safety purposes

Special area permits for designated area (refuges, sanctuaries, and critical habitats

Alaska Department of Environmental Conservation (ADEC) Division of Water

CWA Section 402 NPDES (APDES) Permit (discharges to waters of the U.S.)

Spill Prevention Containment and Contingency (SPCC) Plan

SPCC Plan Approvals (Construction and Operations)

Storm Water Discharge Pollution Prevention Plan

Storm Water Pollution Prevention Plan – Construction and Operations

Storm Water Discharge Permit – Construction, Operations, and Closure)

Section 401 Water Quality Certification (CWA 404 permit)

Section 401 Water Quality Certification (CWA 402 permit)

Wastewater Disposal Permits

Non-Domestic Wastewater Disposal Permit

Domestic Wastewater Disposal Permit

Division of Environmental Health

Solid Waste/Wastewater Permits (Waste Rock Dumps and Tailing Storage Facilities)

Solid Waste Permit (Construction and Demolition Debris)

Food Establishment Permit

Potable water well logs

Approval to Construct and Operate a Public Water Supply System

Public Water System Identification Number

Division of Air Quality Air Quality

Construction Permit
Air Quality PSD Title V Operating Permit
Air Quality Permit to Open Burn

Division of Spill Prevention and Response

Oil Discharge Prevention and Contingency Plan SPCC Plan approvals (Construction and Operations) Operation of vessels and oil barges on state waters Oil terminal/storage facility capable of story 10,000 barrels or more Aboveground Storage Tank Program (>420,000 gallons)

Alaska Department of Public Safety, Office of the State Fire Marshal

Approval to Transport Hazardous Materials Life and Fire Safety Plan Checks Plan Review Certificate of Approval for each building

Alaska Department of Labor, Standards and Safety, Division of Labor Standards and Safety

Certificates of Inspection for Fired and Unfired Pressure Vessels Occupational Safety and Health (inspections and certificates) Employer Identification Number

Alaska Department of Commerce, Community, and Economic Development, Regulatory Commission of Alaska

Certificate of Public Convenience and Necessity for Natural Gas Pipeline

Alaska Department of Health and Social Services, Health Impact Assessment Program

Health Impact Assessment (HIA)

Matanuska - Susitna Borough Planning Department and Public Works Zoning

Plan review and construction permits Solid Waste

Kenai Peninsula Borough Land Management Division

Easements for utilities, pipelines, barge landings, and travel ways

<u>APPLICANT PROPOSED MITIGATION</u>: The applicant proposes the following mitigation measures to avoid, minimize, and compensate for impacts to waters of the United States from activities involving discharges of dredged or fill material.

- a. Avoidance and Minimization: Through the design presented in this application, Donlin Gold has made significant efforts to avoid and minimize project impacts to important wetland functions, wildlife habitats, areas of important cultural significance, and identified subsistence use areas. The currently anticipated effects on the aquatic environment, including waters and wetlands, is described in the Donlin Gold Project Environmental Impact Statement (EIS) and associated baseline environmental reports.
- b. Compensatory Mitigation: Donlin Gold has submitted a conceptual mitigation plan; however, the Corps has not reviewed this plan until the jurisdictional determination has been completed.

<u>WATER QUALITY CERTIFICATION</u>: A permit for the described work will not be issued until a certification or waiver of certification, as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places and a cultural resource survey is ongoing. There are registered or eligible properties in the vicinity of the worksite. There are 41 cultural resources that have been identified within the proposed area of potential effects (APE), and 10 of those are recommended as eligible for inclusion in the National Register of Historic Places (NRHP). One of them, the Iditarod National Historic Trail (INHT), is considered eligible for listing on the NRHP. Because they have been determined to be within the project area, a determination of effect will be made in consultation with the State Historic Preservation Officer (SHPO). Any comments SHPO may have concerning presently unknown archeological sites or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: The project area is within the known or historic range of the Steller's eider (Polysticta stelleri), Spectacled eider (Somateria fischeri), Short-tailed albatross (Phoebastria albatrus), Steller sea lion (Eumetopias jubatus), Bearded seal (Erignathus barbatus nauticus), Ringed seal (Phoca hispida hispida), Pacific walrus (Odobenus rosmarus divergens), Beluga whale (Delphinapterus leucas), Humpback whale (Megaptera novaeangliae), Fin whale (Balaenoptera physalus), North Pacific right whale (Eubalaena japonica), and Northern sea otter (Enhydra lutris kenyoni).

We have determined the described activity may affect the threatened or endangered Steller's eider (Polysticta stelleri), Spectacled eider (Somateria fischeri), Steller sea lion (Eumetopias jubatus), Bearded seal (Erignathus barbatus nauticus), Ringed seal (Phoca hispida hispida), Pacific walrus (Odobenus rosmarus divergens), Beluga whale (Delphinapterus leucas), Humpback whale (Megaptera novaeangliae), Fin whale (Balaenoptera physalus), North Pacific right whale (Eubalaena japonica), and Northern sea otter (Enhydra lutris kenyoni) and their designated critical habitat. We will initiate the appropriate consultation procedures under section 7 of the Endangered Species Act with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

<u>ESSENTIAL FISH HABITAT</u>: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH).

The project area is within the known range of the Chinook salmon (Oncorhynchus tshawytscha), Coho salmon (Oncorhynchus kisutch), Sockeye salmon (Oncorhynchus nerka), Chum salmon (Oncorhynchus keta), and Pink salmon (Oncorhynchus gorbuscha).

We are currently gathering information regarding these species and have yet to make a determination of effect. Should we find that the described activity may affect the species listed above, we will follow the appropriate course of action under Section 305(b)(2) of the Magnuson-Stevens Act. Any comments the National Marine Fisheries Service may have concerning essential fish habitat will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between Federally recognized Tribes and the Federal government. Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by any affected Tribe upon written request to the District Commander during the public comment period.

<u>PUBLIC HEARING</u>: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held regarding this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing. The Alaska District Commander will determine if a hearing is warranted.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The outcome of the general balancing process would determine whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur. The decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(l) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Commander determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

<u>AUTHORITY</u>: This permit will be issued or denied under the following authorities:

Perform work in or affecting navigable waters of the United States – Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403).

Discharge dredged or fill material into waters of the United States – Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

The Donlin Gold Mine Draft Environmental Impact Statement (DEIS) can be viewed at: www.donlingoldeis.com/EISDocuments.aspx.

District Commander U.S. Army, Corps of Engineers

Enclosures

To: Allnutt, David[Allnutt.David@epa.gov]; Dunbar, Bill[dunbar.bill@epa.gov]

Cc: McLerran, Dennis[mclerran.dennis@epa.gov]; Pirzadeh, Michelle[Pirzadeh.Michelle@epa.gov]; Fordham,

Tami[Fordham.Tami@epa.gov]
From: Soderlund, Dianne

Sent: Thur 5/26/2016 8:55:06 PM

Subject: Donlin - Deliberative - Do Not Release

I ran into Bud Cribley this morning in the Federal Bldg. and he wanted to talk about Donlin. DOI is sending one letter representing all DOI (including USFWS) agencies on the NEPA document, and they will likely send by the end of the week. They had their own communication strategy, so Bud has already reached out to Ed Fogels,

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

also likely including Gov and Lt Gov offices, our letter would go out next Tuesday and I would call him prior to it being sent. I gave
Bud, at his request, a tentative indication of what EPA's position would be, with appropriate caveats. From what Bud shared, I think

Deliberative Process / Ex. 5

Dianne Soderlund, Director EPA Region 10 Alaska Operations Office (907) 271-3425 soderlund.dianne@epa.gov

Thiesing, Mary[Thiesing.Mary@epa.gov]; Allnutt, David[Allnutt.David@epa.gov]; Szerlog, To:

Michael[Szerlog.Michael@epa.gov]; LaCroix, Matthew[LaCroix.Matthew@epa.gov]; Fertik, Rachel[Fertik.Rachel@epa.gov]; Miller,

Clay[Miller.Clay@epa.gov]; Goodin, John[Goodin.John@epa.gov]; Kaiser, Russell[Kaiser.Russell@epa.gov]; Eisenberg, Mindy[Eisenberg.Mindy@epa.gov]

Landers, Timothy From:

Thur 5/26/2016 3:32:33 PM Sent:

Subject: RE: Revised Versions of Donlin 404 Cover Letter and Enclosure

Donlin 3a Coment Letter 05-26-2016.docx

Deliberative Process / Ex. 5 . Talk to everyone at 2:30 ET. Attached is a

From: Allnutt, David

Sent: Wednesday, May 25, 2016 8:41 PM

To: Miller, Clay < Miller. Clay@epa.gov>; Landers, Timothy < Landers. Timothy@epa.gov>; Fertik, Rachel < Fertik. Rachel@epa.gov>;

LaCroix, Matthew <LaCroix.Matthew@epa.gov>; Thiesing, Mary <Thiesing.Mary@epa.gov>; Goodin, John

<Goodin.John@epa.gov>; Kaiser, Russell <Kaiser.Russell@epa.gov>; Szerlog, Michael <Szerlog.Michael@epa.gov>; Eisenberg,

Mindy <Eisenberg.Mindy@epa.gov>

Subject: RE: Revised Versions of Donlin 404 Cover Letter and Enclosure

If possible, I'd like to discuss Deliberative Process / Ex. 5 tomorrow.

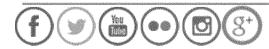
Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

I am pretty available between 2:30 and 4:30 pm eastern time tomorrow.



R. David Allnutt, Director Office of Environmental Review and Assessment U.S. EPA, Region 10 1200 Sixth Avenue, Suite 900 Seattle, Washington 98101-3140 (206) 553-2581



From: Miller, Clay

Sent: Wednesday, May 25, 2016 10:55 AM

To: Landers, Timothy <Landers.Timothy@epa.gov>; Fertik, Rachel <Fertik.Rachel@epa.gov>; Miller, Clay <Miller.Clay@epa.gov>; LaCroix, Matthew <LaCroix. Matthew@epa.gov>; Allnutt, David <Allnutt.David@epa.gov>; Thiesing, Mary

<Thiesing.Mary@epa.gov>; Goodin, John <Goodin.John@epa.gov>; Kaiser, Russell <Kaiser.Russell@epa.gov>; Szerlog, Michael

<<u>Szerlog.Michael@epa.gov</u>>; <u>Eisenberg</u>, <u>Mindy</u> <<u>Eisenberg</u>.Mindy@epa.gov> Subject: RE: Revised Versions of Donlin 404 Cover Letter and Enclosure

Thanks Tim...if there are questions concerning this matter and you can't reach Tim call me at Personal Privacy/EX.6 cell service is sketchy

but if you email me and want to talk I can find a place that has cell service and call you...Clay

From: Landers, Timothy

Sent: Wednesday, May 25, 2016 1:48 PM

To: Fertik, Rachel < Fertik.Rachel@epa.gov >; Miller, Clay < Miller.Clay@epa.gov >; LaCroix, Matthew < LaCroix.Matthew@epa.gov >; Allnutt, David < Allnutt.David@epa.gov >; Thiesing, Mary < Thiesing.Mary@epa.gov >; Goodin, John < Goodin.John@epa.gov >; Kaiser, Russell < Kaiser.Russell@epa.gov >; Szerlog, Michael < Szerlog.Michael@epa.gov >; Eisenberg, Mindy < Eisenberg.Mindy@epa.gov >

Subject: RE: Revised Versions of Donlin 404 Cover Letter and Enclosure

Importance: High

Matt, David, Michael, et. al.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Tim Landers U.S. EPA Wetlands Division 202-566-2231

From: Fertik, Rachel

Sent: Monday, May 23, 2016 10:12 AM

To: Miller, Clay < Miller. Clay@epa.gov>; Landers, Timothy < Landers. Timothy@epa.gov>

Subject: Fwd: Revised Versions of Donlin 404 Cover Letter and Enclosure

FYI

Sent from my mobile phone Begin forwarded message:

From: "LaCroix, Matthew" < LaCroix.Matthew@epa.gov>

Date: May 20, 2016 at 2:41:54 PM EDT

To: "Allnutt, David" <<u>Allnutt.David@epa.gov</u>>, "Szerlog, Michael" <<u>Szerlog.Michael@epa.gov</u>>, "Thiesing, Mary"

<Thiesing.Mary@epa.gov>, "Owens, Kim" <Owens.Kim@epa.gov>

Cc: "Littleton, Christine" <Littleton.Christine@epa.gov>, "Jen, Mark" <Jen.Mark@epa.gov>, "Soderlund, Dianne"

<<u>Soderlund.Dianne@epa.gov</u>>, "Fertik, Rachel" <<u>Fertik.Rachel@epa.gov</u>>

Subject: Revised Versions of Donlin 404 Cover Letter and Enclosure

All,

Good morning. The most current versions of the 404 cover letter and enclosure are attached. The file names include today's date. If you have previous versions, they will contain earlier dates. The documents are for David's review, but everyone receiving this is encouraged to take a look and provide suggested edits. I have incorporated the most recent suggested edits from Kim. Mary Anne, I also edited your language regarding the waste treatment exclusion. Please let me know if you think these paragraphs could be further improved.

Thanks to all of you for your suggestions on these documents. They have done a lot to strengthen and clarify our messaging. Feel free to contact me with any questions you may have. There have been numerous discussions about specific sections of the documents that did not include everyone. I would be happy to bring people into the loop and explain things to the extent I can.

Sincerely,

Matthew LaCroix, Biologist Aquatic Resources Unit Office of Environmental Review and Assessment Alaska Operations Office 222 W. 7th Ave. #19 Anchorage, AK 99513 (907) 271-1480 To: Jen, Mark[Jen.Mark@epa.gov]

Soderlund, Dianne[Soderlund.Dianne@epa.gov]; Allnutt, David[Allnutt.David@epa.gov]; Anderson-Carnahan, Cc:

Linda[Anderson-Carnahan.Linda@epa.gov]; Bachman, Brenda[bachman.brenda@epa.gov]

Kissinger, Lon From:

Sent: Tue 1/31/2017 7:02:57 PM

Comments on the Donlin Gold Mine Human Health Impact Assessment (HIA) Subject:

Kissinger, Lon has shared a OneDrive for Business file with you. To view it, click the link below.



EPA Comments on the Donlin HIA Lon Kissinger 1-31-

Hi Mark,

My expertise is in the area of human health risks posed by exposure to hazardous chemicals, and my comments are largely limited to that area.

As we discussed, I am copying Diane Soderlund and David Allnutt to allow their review.

In the attached specific comments, I have provided cross references to similar EIS comments.

The Donlin Gold Mine Health Impact Assessment (HIA) prepared under the direction of the Alaska Department of Health delineates a standard exposure/risk assessment sequence of identifying Source \rightarrow Exposure \rightarrow Dose \rightarrow Health Effect(s). The HIA offers a conceptual site model showing the sources of contaminants, their transport via environmental media, and how individuals may come into contact with contaminants. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Lon Kissinger
Risk Assessor
Office of Environmental Assessment, Risk Evaluation Unit
U.S. EPA - Region 10, Suite 900
Mail Stop: OEA-095
1200 6th Ave.
Seattle, WA 98101

kissinger.lon@epa.gov

206-553-2115 voice 206-553-1645 FAX To: Fordham, Tami[Fordham.Tami@epa.gov]; Erikson, Linda[Erikson.Linda@epa.gov]
Cc: Allnutt, David[Allnutt.David@epa.gov]; Soderlund, Dianne[Soderlund.Dianne@epa.gov]

From: Jen, Mark

Sent: Thur 9/8/2016 7:55:23 PM

Subject: RE: Documents for today's Calista Briefing Donlin Gold Project Briefing July 15 2016.docx

Hi Tami,

Here is a briefing paper prepared for Joel Beauvais' visit to Alaska. Michelle should be familiar with the Donlin Gold Project. She attended the RTOC briefing I provided in March 2016. I can provide an overview of the Donlin Gold Project if needed. We only have half an hour for the briefing.

Thanks

Mark

From: Fordham, Tami

Sent: Thursday, September 08, 2016 11:49 AM **To:** Erikson, Linda < Erikson. Linda@epa.gov>

Cc: Jen, Mark < Jen. Mark@epa.gov>; Allnutt, David < Allnutt.David@epa.gov>; Soderlund, Dianne < Soderlund.Dianne@epa.gov>

Subject: RE: Documents for today's Calista Briefing

Thanks Linda! I went ahead and made a new pdf, which looks better than the first. I am copying the others on the invite in the event they also have an issue with the file.

Thanks! Tami

From: Erikson, Linda

Sent: Thursday, September 08, 2016 11:43 AM **To:** Fordham, Tami < Fordham. Tami@epa.gov > **Subject:** Documents for today's Calista Briefing

HI Tami,

I saw the documents in Michelle's email and am printing them for her. I can't open the Calista Corporation pdf as it says it's corrupted. Can you please send it again?

Thanks so much,

Linda

Linda Erikson

Assistant to Michelle L. Pirzadeh, Deputy Regional Administrator U.S. Environmental Protection Agency | Region 10 C: 206-437-6906 | D: 206-553-1191 | F: 206-553-1809

Donlin Gold Project July 2016

Overview: Donlin Gold, LLC. (a joint venture between Barrick Gold and NovaGold Resources) plans to develop an open pit hard rock gold mine, transportation infrastructure, and a natural gas pipeline in the Yukon-Kuskokwim Rivers region of remote western Alaska, which is home to over 50 tribal subsistence villages. The subsurface gold reserves are owned by the Calista Corporation, and the surface lands are owned by the Kuskokwim Corporation, established under the Alaska Native Claims Settlement Act (ANCSA). Estimated gold reserves are 33M ounces.

Background: Three major project components.

- Mine Site (277 miles west of Anchorage). Open pit gold mine, lined tailings storage facility and dam, waste rock facility, contact water ponds, milling and processing plant, fuel storage facility, and power plant. The mine life is 27.5 years. Production rate is 1 M ounces per year
- <u>Transportation Facilities</u>. The Kuskokwim River transportation system includes the new Jungjuk Port, staging area, fuel tanks, expanded Bethel Port, a 30-mile gravel road to the mine;
- Natural Gas Pipeline. 315 mile long x 14-inch diameter buried natural gas pipeline from the west side of Cook Inlet to the mine site to supply the power plant.

Issue: The U.S. Army Corps of Engineers (Corps), the lead federal agency for the EIS, released the Donlin Gold Project Draft Environmental Impact Statement (DEIS) in late 2015. The EPA assigned a rating of EO-2 (Environmental Objections – Insufficient Information) due to potential serious impacts to human health and the environment. The proposed project may increase concentrations of mercury and arsenic in surface waters and sediments, which are already elevated under baseline conditions. This may pose a human health risk to the native communities in the project area. The Donlin Gold Health Impact Assessment was not provided for public review and comment. We expressed concerns regarding a premature mine closure and the implications on financial assurance for mine reclamation and long-term water quality monitoring, and maintaining the integrity of the tailings storage facility and dam. The dewatering of the open pit mine would reduce and/or eliminate surface and groundwater inputs to Crooked Creek and adjacent wetlands.

Concurrent with the release of the DEIS, the Corps issued a Public Notice of Application (PN) under the Clean Water Act (CWA) § 404. The DEIS did not have complete or accurate information to evaluate the least environmentally damaging practicable alternative (LEDPA), adverse impacts to wetlands and aquatic resources, and compensatory mitigation under the CWA § 404(b)(1) Guidelines. The Corps would not provide the EPA with any assurances that a PN would be issued with the Final EIS when more complete and accurate information would be available. Therefore, under the CWA Section 404(q) Memorandum of Agreement, EPA initiated elevation procedures to maintain our standing with the Corps. We recommended that the Corps issue a supplemental, a revised, or a corrected PN for public review comment, and include the additional complete and accurate information in the Final EIS.

Contact: Mark Jen (907) 271-3411

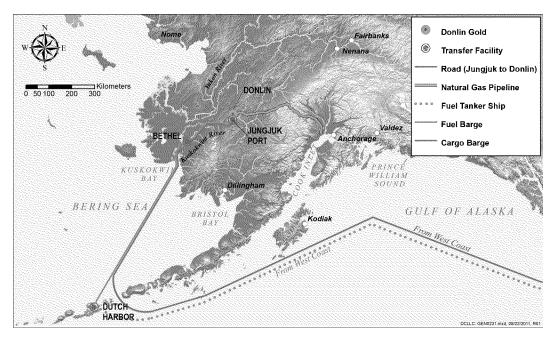


Figure 1. The Donlin Gold Project includes three main components: the mine site, transportation infrastructure and a natural gas pipeline. The mine site is 277 miles west of Anchorage. Fuel and cargo would be transported by barge from Seattle, WA and/or Vancouver, BC, Canada.

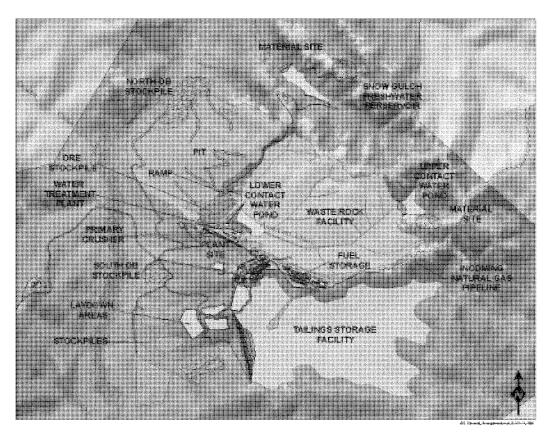


Figure 2. The Donlin Gold Project mine site includes an open pit, a fully lined tailings storage facility and dam, a waste rock facility, a milling and processing plant, contact water ponds, etc..

To: R10-ORA[R10-ORA@epa.gov]; Pirzadeh, Michelle[Pirzadeh.Michelle@epa.gov]; McLerran,

Dennis[mclerran.dennis@epa.gov]

Cc: Chu, Ed[Chu.Ed@epa.gov]; Opalski, Dan[Opalski.Dan@epa.gov]; Anderson-Carnahan, Linda[Anderson-Carnahan.Linda@epa.gov]; Albright, Rick[Albright.Rick@epa.gov]; Allnutt, David[Allnutt.David@epa.gov]; Williamson, Ann[Williamson.Ann@epa.gov]; Kelly, Kate[kelly.kate@epa.gov]; Kowalski, Ed[Kowalski.Edward@epa.gov]; Barber, Anthony[Barber.Anthony@epa.gov]; Werntz, James[Werntz.James@epa.gov]; Edmondson, Lucy[Edmondson.Lucy@epa.gov];

Soderlund, Dianne[Soderlund.Dianne@epa.gov]; Fordham, Tami[Fordham.Tami@epa.gov]; Davies, Lauris[Davies.Lauris@epa.gov]

From: Smith, Marla J.

Sent: Wed 11/25/2015 9:42:17 PM

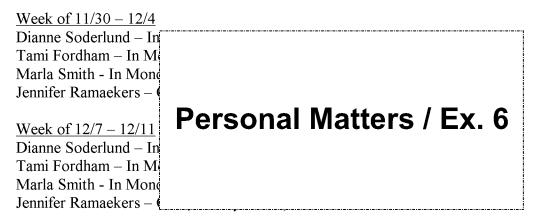
Subject: AOO Hot Topics, projected 2 weeks; 11/30 through 12/4 and 12/7 through 12/11

HOT TOPICS:

Non-Responsive

<u>Donlin Gold Project</u>-The U.S. Army Corps of Engineers announced that the Notice of Availability of the Draft EIS (DEIS) for the Donlin Gold Project will be published in the Federal Register on Friday, November 27. The public comment period will continue until April 30, 2016. Public meetings are being planned for communities in the Yukon-Kuskokwim Region after mid-January 2016. The EPA project team will formally review the DEIS under our NEPA and Clean Air Act Section 309 authorities. (Staff Contact: Mark Jen 1-3411).

Projected Key Staff Attendance for Upcoming Two Weeks:



Dianne Soderlund, Director Alaska Operations Office (907) 271-3425

Marla Smith, Management Analyst Alaska Operations Office (907) 271-1272 Phone To: Stanfield, Brooks[Stanfield.Brooks@epa.gov]; Grandinetti, Cami[Grandinetti.Cami@epa.gov]; Cohen,

Lori[Cohen.Lori@epa.gov]

Cc: Hamlin, Tim[Hamlin.Tim@epa.gov]; Laija, Emerald[Laija.Emerald@epa.gov]; Allnutt, David[Allnutt.David@epa.gov]; Field,

Chris[Field.Chris@epa.gov]

From: Mackey, Cyndy

Sent: Mon 5/19/2014 11:44:22 PM

Subject: RE: Administrator All-Staff Talking Points on Financial Assurance - Review by 10am please

Brooks et al:

Here's what I wrote for the talking points on Financial Assurances and Emergency Response. For financial assurances, I suggest focusing on the work the region is doing rather than on the rulemaking effort. Feel free to edit and let me know if I can provide further information or assistance.

EMEGENCY RESPONSE:

Region 10 has been working with its partners to make a difference in a number of communities by exercising CERCLA authorities to respond to emergency situations, including the following recent actions:

Non-Responsive

FINANCIAL ASSURANCES:

Region 10 is successfully implementing a financial assurances strategy for mining sites that is helping to ensure that funding mechanisms are in place to pay for restoration and cleanup of mining sites. Under NEPA, the region's advocacy for financial assurances in Environmental Impact Statements has improved the financial assurances for proposed mining activities on federal land, including the Greens Creek Mine and Donlin Mines in Alaska. In addition, the region has successfully exercised CERCLA authority to require robust financial assurances for mine site cleanups, such as the Midnite Mine Site and the Blackbird Mine Site.

From: Stanfield, Brooks

Sent: Monday, May 19, 2014 4:25 PM

To: Grandinetti, Cami; Cohen, Lori; Mackey, Cyndy

Cc: Hamlin, Tim; Laija, Emerald

Subject: Administrator All-Staff Talking Points on Financial Assurance - Review by 10am please

Hey folks-

I need to get Tim the Administrator's All-Staff talking points by 10am tomorrow. I think there is some real interest in making sure

Non-Responsive

Non-Responsive

Brooks Stanfield
Regional Strategic Planner
U.S. Environmental Protection Agency - Region 10
Office of Management and Programs
1200 Sixth Avenue - OMP 213
Seattle, WA 98166
206-553-4423

To: Allnutt, David[Allnutt.David@epa.gov]; Soderlund, Dianne[Soderlund.Dianne@epa.gov]

Cc: Fordham, Tami[Fordham.Tami@epa.gov]; Herbst, John[herbst.john@epa.gov]; Castanon, Lisa[Castanon.Lisa@epa.gov]

From: Thomas, Sally

Sent: Mon 7/25/2016 5:07:05 PM

Subject: RE: 7-22-16 Letter RE Request for Consultation with Calista Corporation...

We (the review team) have a meeting scheduled for Monday (Aug 1) to discuss.

st

Sally Thomas, Manager Tribal Trust and Assistance Unit USEPA, Region 10 (206) 553-2102 EPA R10 Tribal Webpage

From: Allnutt, David

Sent: Friday, July 22, 2016 7:08 PM

To: Thomas, Sally <Thomas.Sally@epa.gov>; Herbst, John <herbst.john@epa.gov>; Castanon, Lisa <Castanon.Lisa@epa.gov>;

Fordham, Tami < Fordham. Tami@epa.gov>

Subject: Fwd: 7-22-16 Letter RE Request for Consultation with Calista Corporation...

Time to pull the old gang together!

Sent from my iPhone

Begin forwarded message:

From: "Marlis Luke" < mluke@calistacorp.com >

To: "Soderlund, Dianne" < Soderlund.Dianne@epa.gov >, "Allnutt, David" < Allnutt.David@epa.gov >

Cc: "June McAtee" < imcatee@calistacorp.com >, "Bonnie Paskvan" < BPaskvan@calistacorp.com >, "Andrew Guy"

<aguy@calistacorp.com>, "Jen, Mark" < Jen.Mark@epa.gov>

Subject: 7-22-16 Letter RE Request for Consultation with Calista Corporation...

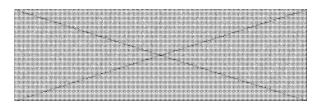
Dear Ms. Soderlund and Mr. Allnut:

Attached is a letter dated July 22, 2016 Re: Request for Consultation with Calista Corporation regarding the EPA's comments to the USACE on the Donlin Gold Project DEIS emailed to you on behalf of Mr. Andrew Guy and Ms. June McAtee.

Thank you,

Marlis Luke
Executive Assistant to Andrew Guy, President & CEO
CALISTA CORPORATION
5015 Business Park Blvd., Suite 3000 | Anchorage, AK 99503
T: (907) 275-2877
F: (907) 275-2942

mluke@calistacorp.com www.calistacorp.com



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"22 CFR Part 125.4 (b) (9) applicable."



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 10

1200 Sixth Avenue, Suite 900 Seattle, WA 98101-3140

OFFICE OF ENVIRONMENTAL REVIEW AND ASSESSMENT

AUG 2 2 2016

Mr. Andrew Guy, President and CEO Calista Corporation 5015 Business Park Boulevard. Suite 3000 Anchorage, Alaska 99503

Ms. June McAtee, Vice President Land & Shareholder Services Calista Corporation 5015 Business Park Boulevard, Suite 3000 Anchorage, Alaska 99503

Dear Mr. Guy and Ms. McAtee:

The U.S. Environmental Protection Agency has received the Calista Corporation's July 22, 2016 letter requesting the opportunity to consult with Region 10 senior management on the Donlin Gold Project and EPA's May 31, 2016 comments to the U.S. Army Corps of Engineers on the Draft Environmental Impact Statement (DEIS). We also recognize that the Calista Corporation would like to discuss a process to address the issues identified in EPA's comments.

In response to your request, EPA Region 10 senior management and staff are available to meet with the Calista Corporation. We would like to better understand the concerns and issues identified in your letter and to clarify EPA's roles and responsibilities under the National Environmental Policy Act and Section 309 of the Clean Air Act, and as a cooperating agency on the Donlin Gold Project. In addition, we would like to share information regarding our approach to consultation on NEPA-related projects.

EPA would be willing to host this meeting at our Regional Office in Seattle, Washington, or if you prefer, at our Alaska Operations Office in Anchorage, Alaska. If we were to meet in Seattle, the proposed dates are September 12th (afternoon) or September 14th. If we were to meet in Anchorage, we will need to work together to find an alternate meeting date. To confirm this meeting or to propose alternate dates or locations for this meeting, please have your staff contact Mark Jen in the Alaska Operations Office in Anchorage at (907) 271-3411 or by email at jen.mark@epa.gov.

If you have any questions regarding this meeting, we can be reached directly in Seattle at (206) 553-2581 or by email at allnutt.david@epa.gov, or in Anchorage at (907) 271-3425 or by email at soderlund.dianne@epa.gov.

We look forward to this opportunity to discuss the Donlin Gold Project and our comments on the Draft Environmental Impact Statement with the Calista Corporation.

Sincerely,

R. David Allnutt, Director

Office of Environmental Review and Assessment

Dianne Soderlund, Director Alaska Operations Office

cc: David Hobbie, U.S. Army Corps of Engineers, Alaska District, Anchorage, AK
Sheila Newman, U.S. Army Corps of Engineers, Alaska District, Anchorage, AK
Sally Thomas, EPA Region 10, Tribal Trust and Assistance Unit, Seattle, WA
Mark Jen, EPA Region 10, Alaska Operations Office, Anchorage, AK



COPY

July 22, 2016

Via Email to soderlund.dianne@epa.gov and allnutt.david@epa.gov)

Dianne Soderlund, Director U.S. Environmental Protection Agency, Region 10 Alaska Operations Office 222 W. 7th Ave., #19 Anchorage, AK 99513

R. David Allnutt, Director
U.S. Environmental Protection Agency, Region 10
Office of Environmental Review and Assessment
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

Re: Request for Consultation with Calista Corporation regarding the EPA's comments to the USACE on the Donlin Gold Project DEIS

Dear Ms. Soderlund and Mr. Allnutt:

Calista Corporation ("Calista")¹ would very much appreciate the opportunity to consult with U.S. Environmental Protection Agency, Region 10 ("EPA") senior management, to discuss (a) the Donlin Gold Project ("Project"), (b) the EPA's May 31, 2016 comment letter filed regarding the Project Draft Environmental Impact Statement ("DEIS"), and (c) the go forward process to resolve the issues raised by the EPA, as a cooperating agency during the NEPA process for this Project. The requested consultation is critical to provide Calista with the opportunity to meaningfully present relevant information to address negative comments that may hinder the development of the Donlin Gold Project under Alternative 2 of the DEIS. If the Project is not developed, it will substantially impair Calista's ability to fulfill the very intent and purpose for which Alaska Native Corporations ("ANCS") were established under the Alaska Native Claims Settlement Act ("ANCSA"), to protect and advance the economic, social, and cultural interests of our shareholders.

¹ Calista Corporation is one of the twelve land-based regional Alaska Native Corporations specifically created by Congress in 1971 with the passage of the Alaska Native Claims Settlement Act; 43 U.S.C. § 1601, et seq. Calista's Region is located in the Yukon-Kuskokwim Delta region of Southwestern Alaska.

U.S. Environmental Protection Agency, Region 10
Re: Request for Consultation with Calista Corporation
July 22, 2016
Page 2

The Federal Government settled its land claims with Natives in Alaska differently than with Natives in the Lower 48. ANCSA created Native regional and village corporations to hold land and to invest cash settlement money for the benefit of their Native Alaskan shareholders and their descendants.² Village corporations were given land surface rights in settlement of their Native land claims, while regional corporations were granted the subsurface rights of their own selected lands and those of the village corporations within their region.³ If EPA actions will impact ANC-owned Native land or related water or resources, it must consult with the applicable ANCs if it wants to ensure that its decisions properly take Native interests into account. As the owners of the land surface and subsurface rights, ANCs have the most direct and tangible interests at stake related to those areas.

In Executive Order ("EO") 13175,⁴ Consultation and Coordination with Indian Tribal Governments, the President required federal agencies to implement effective, accountable processes to ensure meaningful and timely consultation with tribes, on a "government to government basis" during the development of regulatory policies or projects that may have tribal implications.⁵

In accordance with this mandate, on May 4, 2011, the EPA issued its Policy on Consultation and Coordination with Indian Tribes ("2011 Policy"). Tribal consultation is intended to assure meaningful tribal participation in planning and decision-making processes for actions with the potential to affect tribal interests. Alaska Native tribes are specifically included within the EO's definition of "Indian tribe." Congress specifically expanded the EO tribal government protection to ANCs by expressly directing the Office of Management and Budget ("OMB") and all Federal agencies to consult with ANCs on the same basis as tribes under EO 13175. In the EPA's Policy, the EPA states it "takes an expansive view of the need for consultation in line with the [EPA's own] 1984 Policy's directive to consider tribal interests whenever EPA takes an action that "may affect" tribal interests." In the consultations, tribes [and ANCs] may provide input to EPA and the EPA is to provide feedback to "explain how their input was considered in the final action. This feedback should be a formal, written communication from a senior EPA official involved to the most senior tribal [or ANC] official involved in the consultation.8



² 43 U.S.C. §§ 1606, 1607.

³ 43 U.S.C. § 1613.

⁴ Issued November 6, 2000, by President William J. Clinton.

⁵ Id. at Sections 2 & 5.

⁶ Consolidated Appropriations Act, 2004, Pub. L. No. 108-199, Div H. Section 161, 118 Stat. 3, 452 (2004), as amended by Consolidated Appropriations Act, 2005, Pub. L. No. 108-447, Div H., Title V. Section 518, 118 Stat. 2809, 3267, codified at 25 U.S.C.A. § 450 note (emphasis added). Furthermore, ANCs qualify under the EPA's 2011 Policy per the definition of "Tribe", pursuant to the Federally Recognized Indian Tribe List Act of 1944.

⁷ 2011 Policy, at Section II, p. 2,

^{*} Id, Section V(A)(3) & (21`4), p. 5.

U.S. Environmental Protection Agency, Region 10
Re: Request for Consultation with Calista Corporation

July 22, 2016

Page 3

- Meetings Calista requests that our first meeting focus on our concerns with EPA's DEIS comment letter. The meeting could be either at Anchorage, Alaska or in Seattle, Washington.
- 2. Level of agency staff Calista requests that consultation meetings include both Calista and the directors responsible for the EPA's comment letter and working staff. For Calista, Andrew Guy and June McAtee would attend the meeting. For EPA, we would like the staff to include, at a minimum, Diane Soderlund and David Allnutt.
- Documentation Calista prefers that the specific content of our consultation meetings
 that is verbally shared be confidential. However, we ask that EPA document in its ROD
 documents that consultation has occurred by listing the dates of the consultation
 meetings.
- 4. Issues Consistent with the EPA's Consultation Policy, Calista requests Calista be consulted on EPA's comments and decisions related to "any activity that may substantially affect ANCSA Corporation land, water areas, or resources. Some issues that warrant discussion include:
 - <u>EPA's rating</u>: EPA rated the project "EO-2" (Environmental Objections-Insufficient Information). Donlin Gold has worked diligently and in cooperation with ANCs and local communities to reduce impacts. Thus, it is concerning that EPA would still have significant objections to the Project.

o Subsistence:

- EPA's cover letter implies that it believes the BLM subsistence analysis (preliminary ANILCA 810 analysis) over the USACE's, yet EPA provides no basis for that position.
- The cover letter states that EPA heard concerns about impacts at the public meetings but did not acknowledge that there were many positive public comments. Why does EPA's letter only focus on perceived negative impacts to subsistence, as opposed to a more balanced and representative approach to the totality of the public testimony?
- EPA's specific comments on subsistence appear to be written by someone completely unfamiliar with Calista's local Alaska Native hire requirements and Donlin Gold's past successful history of Calista and The Kuskokwim



U.S. Environmental Protection Agency, Region 10 Re: Request for Consultation with Calista Corporation July 22, 2016 Page 4

- Corporation shareholder hiring, which reached over 90% of the exploration workforce. (See EPA comment table, Section 3.21, page 79).9
- Similarly, some of EPA's comments on the health section also appear to be written by someone unfamiliar with the Project. Moreover, some of the comments are both uninformed and offensive. (See EPA comment table, Section 3.22, page 91)¹⁰
- Environmental Justice: EPA's comments on Environmental Justice are alarmist and can only have been written by someone unfamiliar with the Project and the Yukon-Kuskokwim region. (See EPA comment table, section 3.19, pages 77 -78). Particularly egregious are statements that imply a cash economy and subsistence economy cannot co-exist when we know that subsistence in fact relies heavily on and co-exists with a cash-based economy in the Yukon-Kuskokwim Delta.
- Development of Private Land: We welcome the opportunity to discuss with you the Project's location on Calista Corporation and The Kuskokwim Corporation ANCSA lands that were specifically and intentionally selected for mineral development to anchor a regional rural economy; the ANCs are true partners in its development. Our partner, Donlin Gold, has taken a thoughtful and steady approach toward development not rushing into it; ensuring a well-thought out project design cultivated through more than 20 years of baseline data collection, feasibility studies, and consultation with communities in our region. We would like to share with you the positive changes that Calista shareholders experienced during Donlin employment, and the reality of the affected villages' current health and economic status.
- Topics for future meetings may include, for example, EPA's participation as a cooperating agency under any of these actions that could affect Calista:
 - i. NEPA/EIS comments on the EIS; supplementation of the EIS
 - ii. ANILCA Section 810(a) Analysis of Subsistence Impacts scope of the 810 analysis and mitigation
 - iii. the NHPA Section 106 Programmatic Agreement

¹⁰ See, e.g., Section 3.22-74, p. 91: "Furthermore, while chlamydia may be treatable, the high prevalence of STIs may indicate behaviors that increase the likelihood of transmission. Other STIs could blossom in this environment." Was that a consideration in the building of the Trans Alaska Pipeline or other projects of this magnitude?



⁹ See, e.g., EPA comment table, Section 3.22.4.2.1, p. 87: "What are the requirements of jobs that would be available to ANs? What are the current abilities of ANs to fill these jobs, what training would be needed? Has there been an effort to determine whether or not ANs would want to take these jobs, including whether changes in lifestyle would be acceptable."

U.S. Environmental Protection Agency, Region 10 Re: Request for Consultation with Calista Corporation July 22, 2016 Page 5

- iv. Section 17(b) public easements
- v. Mitigation
- 5. Follow-up Each of the EPA/Calista consultation meetings should end with a list of next steps, with a date for each, even if it is just a phone call or email. We request ongoing consultation on these or similar topics during the framework revision of the Donlin DEIS.

Calista sincerely appreciates the EPA engagement in this important consultation. We look forward to working through this process with the EPA team.

Sincerely,

Andrew Guy
President & CEO

June McAtee

Vice President, Land & Shareholder Services

cc: Mark S. Jen, EPA, Region 10, Alaska Operations Office, via email to jen.mark@epa.gov



To: Allnutt, David[Allnutt.David@epa.gov]

Cc: Szerlog, Michael[Szerlog.Michael@epa.gov]; Jen, Mark[Jen.Mark@epa.gov]

From: Graham, Dan

Sent: Thur 3/22/2018 3:18:34 PM Subject: Available Next Week?

Mr. Allnutt -

I will be calling you later today, but I am hoping we can find 30 minutes of your time next Monday or Tuesday to discuss some policy issues related to compensatory mitigation. If you can take a look at your schedule, we can discuss when I get free to call you later this morning.

Thank you.

Dan Graham, PE, Permit and Environmental Manager Donlin Gold, LLC 4720 Business Park Blvd., Suite G-25 Anchorage, AK 99503 Tel: (907) 273-0200 Main (907) 569-0344 Direct



To: Szerlog, Michael[Szerlog.Michael@epa.gov]

Cc: Reichgott, Christine[Reichgott.Christine@epa.gov]; Shaw, Hanh[Shaw.Hanh@epa.gov]; Marcy, Ken[Marcy.Ken@epa.gov];

Soderlund, Dianne[Soderlund.Dianne@epa.gov]; Allnutt, David[Allnutt.David@epa.gov]

From: Jen, Mark

Sent: Wed 12/10/2014 8:18:17 PM HQ Briefing Material Dec 2014.pptx



Hi Michael

Here are my slides for the OWOW briefing next week - Donlin, ASAP, and AK LNG.

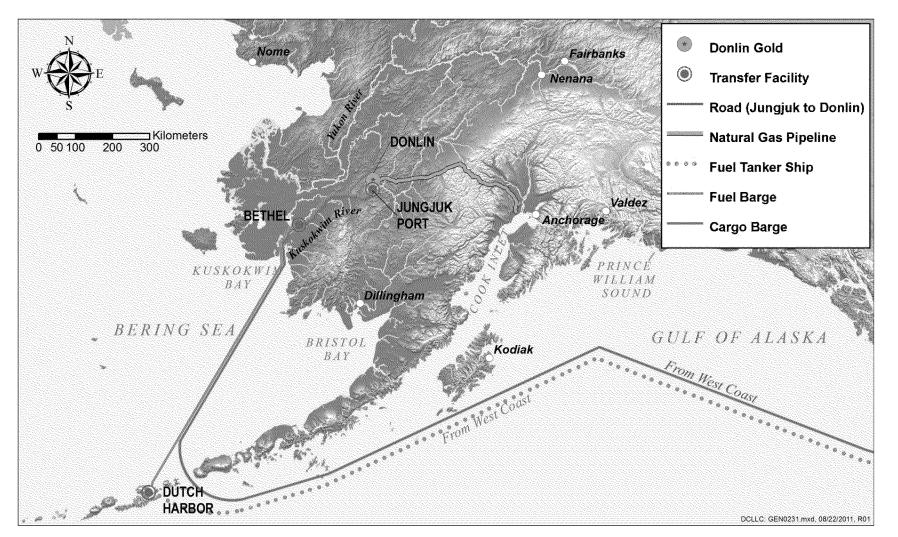
Let me know if you have any questions.

Thanks

Mark S. Jen

U.S. Environmental Protection Agency, Region 10 Alaska Operations Office 222 W. Seventh Avenue #19 Anchorage, Alaska 99513-7588 (907) 271-3411

Donlin Gold Project Environmental Impact Statement



Applicant:

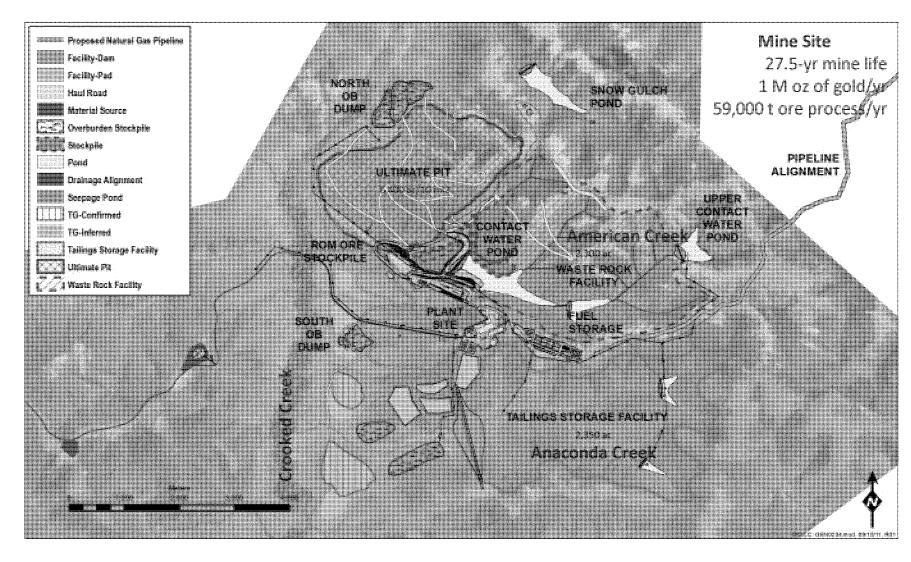
Donlin Gold, LLC (Barrick Gold and NovaGold joint venture)

Location:

Southwest Alaska, Kuskokwim River Area 277 miles west of Anchorage, 10 miles north of Crooked Creek.

Project Description: (3 major components)

- 1. Mine
 - Open pit hardrock gold mine
 - Waste Rock Facility
 - Tailings Storage Facility
 - Mill Processing Facility
 - Power Plant natural gas
- 2. Transportation Infrastructure
 - Jungjuk Port on the Kuskokwim River
 - 3 barge trains/day & 64 tows/yr
 - Gravel road from port to the mine
 - Airstrip
- 3. Pipeline
 - 315-mile, 14-inch natural gas
 - West side of Cook Inlet, across the Alaska Range, to the proposed power plant



EPA Resources

Region 10 Mining Team — Ken Marcy Mark Jen — NEPA/404 Matt LaCroix — Wetlands/404 Lorraine Edmond - Hydrology Chris Eckley - Mercury Herman Wong – Air Modelling
Zach Hedgpeth – Air Quality
Cindi Godsey – Water Quality
Elizabeth McKenna – Attorney/Advisor
Brent Trentskowski – Region 8 (Skills Market Place)
NatureServe Contract – Wetlands Functional Analysis

EIS Schedule

Preliminary DEIS – April 2015 Draft EIS – Late 2015 Final EIS – Late 2016

Project Issues

Barge Traffic
Subsistence
Water Quality – Contamination
Fish Habitat
Wildlife/Birds
Mitigation and Monitoring
Financial Assurance and Bonding
Tailings Impoundment/spill risk

Wetlands & Aquatic Resources

- Total Project Footprint 16,300 ac
- Wetlands Impacts 6,900 ac (42%)
- Anaconda & American Creeks (100%)
- Stream Impacts 75 linear mi (31 ac)
- Crooked Creek flow reduction 2 to 25%

Compensatory Mitigation

- Wetland Functional Analysis Report
- Kuskokwim River Mitigation Bank
- Other options

Environmental Impact Statement (EIS)

Lead – U.S. Army Corps of Engineers Cooperating - EPA, BLM, USFWS, PHMSA State – ADNR, ADFG, ADEC Tribal – Cooked Creek, Chuathbaluk, Napaimute, Knik, Aniak, Akiak

To: Soderlund, Dianne[Soderlund.Dianne@epa.gov]; Allnutt, David[Allnutt.David@epa.gov]

Cc: June McAtee[jmcatee@calistacorp.com]; Bonnie Paskvan[BPaskvan@calistacorp.com]; Andrew

Guy[aguy@calistacorp.com]; Jen, Mark[Jen.Mark@epa.gov]

From: Marlis Luke

Sent: Fri 7/22/2016 11:25:30 PM

Subject: 7-22-16 Letter RE Request for Consultation with Calista Corporation...

removed.txt

7-22-16 RE Request for Consultation w Calista Corporation....pdf

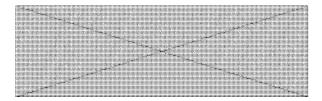
Dear Ms. Soderlund and Mr. Allnut:

Attached is a letter dated July 22, 2016 Re: Request for Consultation with Calista Corporation regarding the EPA's comments to the USACE on the Donlin Gold Project DEIS emailed to you on behalf of Mr. Andrew Guy and Ms. June McAtee.

Thank you,

Marlis Luke
Executive Assistant to Andrew Guy, President & CEO
CALISTA CORPORATION
5015 Business Park Blvd., Suite 3000 | Anchorage, AK 99503
T: (907) 275-2877
F: (907) 275-2942

mluke@calistacorp.com www.calistacorp.com



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"22 CFR Part 125.4 (b) (9) applicable."



July 22, 2016

Via Email to soderlund.dianne@epa.gov and allnutt.david@epa.gov)

Dianne Soderlund, Director
U.S. Environmental Protection Agency, Region 10
Alaska Operations Office
222 W. 7th Ave., #19
Anchorage, AK 99513

R. David Allnutt, Director
U.S. Environmental Protection Agency, Region 10
Office of Environmental Review and Assessment
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

Re: Request for Consultation with Calista Corporation regarding the EPA's comments to the USACE on the Donlin Gold Project DEIS

Dear Ms. Soderlund and Mr. Allnutt:

Calista Corporation ("Calista")¹ would very much appreciate the opportunity to consult with U.S. Environmental Protection Agency, Region 10 ("EPA") senior management, to discuss (a) the Donlin Gold Project ("Project"), (b) the EPA's May 31, 2016 comment letter filed regarding the Project Draft Environmental Impact Statement ("DEIS"), and (c) the go forward process to resolve the issues raised by the EPA, as a cooperating agency during the NEPA process for this Project. The requested consultation is critical to provide Calista with the opportunity to meaningfully present relevant information to address negative comments that may hinder the development of the Donlin Gold Project under Alternative 2 of the DEIS. If the Project is not developed, it will substantially impair Calista's ability to fulfill the very intent and purpose for which Alaska Native Corporations ("ANCs") were established under the Alaska Native Claims Settlement Act ("ANCSA"), to protect and advance the economic, social, and cultural interests of our shareholders.

¹ Calista Corporation is one of the twelve land-based regional Alaska Native Corporations specifically created by Congress in 1971 with the passage of the Alaska Native Claims Settlement Act; 43 U.S.C. § 1601, et seq. Calista's Region is located in the Yukon-Kuskokwim Delta region of Southwestern Alaska.

U.S. Environmental Protection Agency, Region 10

Re: Request for Consultation with Calista Corporation

July 22, 2016

Page 3

- Meetings Calista requests that our first meeting focus on our concerns with EPA's DEIS comment letter. The meeting could be either at Anchorage, Alaska or in Seattle, Washington.
- 2. Level of agency staff Calista requests that consultation meetings include both Calista and the directors responsible for the EPA's comment letter and working staff. For Calista, Andrew Guy and June McAtee would attend the meeting. For EPA, we would like the staff to include, at a minimum, Diane Soderlund and David Allnutt.
- Documentation Calista prefers that the specific content of our consultation meetings
 that is verbally shared be confidential. However, we ask that EPA document in its ROD
 documents that consultation has occurred by listing the dates of the consultation
 meetings.
- 4. Issues Consistent with the EPA's Consultation Policy, Calista requests Calista be consulted on EPA's comments and decisions related to "any activity that may substantially affect ANCSA Corporation land, water areas, or resources. Some issues that warrant discussion include:
 - <u>EPA's rating</u>: EPA rated the project "EO-2" (Environmental Objections-Insufficient Information). Donlin Gold has worked diligently and in cooperation with ANCs and local communities to reduce impacts. Thus, it is concerning that EPA would still have significant objections to the Project.

o Subsistence:

- EPA's cover letter implies that it believes the BLM subsistence analysis (preliminary ANILCA 810 analysis) over the USACE's, yet EPA provides no basis for that position.
- The cover letter states that EPA heard concerns about impacts at the public meetings but did not acknowledge that there were many positive public comments. Why does EPA's letter only focus on perceived negative impacts to subsistence, as opposed to a more balanced and representative approach to the totality of the public testimony?
- EPA's specific comments on subsistence appear to be written by someone completely unfamiliar with Calista's local Alaska Native hire requirements and Donlin Gold's past successful history of Calista and The Kuskokwim



U.S. Environmental Protection Agency, Region 10 Re: Request for Consultation with Calista Corporation July 22, 2016

Page 5

- iv. Section 17(b) public easements
- v. Mitigation
- 5. Follow-up Each of the EPA/Calista consultation meetings should end with a list of next steps, with a date for each, even if it is just a phone call or email. We request ongoing consultation on these or similar topics during the framework revision of the Donlin DEIS.

Calista sincerely appreciates the EPA engagement in this important consultation. We look forward to working through this process with the EPA team.

Sincerely,

Andrew Guy
President & CEO

June McAtee

Vice President, Land & Shareholder Services

cc: Mark S. Jen, EPA, Region 10, Alaska Operations Office, via email to jen.mark@epa.gov



To: Godsey, Cindi[Godsey.Cindi@epa.gov]; LaCroix, Matthew[LaCroix.Matthew@epa.gov]; Edmond, Lorraine[Edmond.Lorraine@epa.gov]; Eckley, Chris[Eckley.Chris@epa.gov]; Wong, Herman[Wong.Herman@epa.gov]; Hedgpeth, Zach[Hedgpeth.Zach@epa.gov]; Truskowski, Brent[truskowski.brent@epa.gov]

Cc: Marcy, Ken[Marcy.Ken@epa.gov]; Szerlog, Michael[Szerlog.Michael@epa.gov]; Reichgott, Christine[Reichgott.Christine@epa.gov]; Soderlund, Dianne[Soderlund.Dianne@epa.gov]; Allnutt, David[Allnutt.David@epa.gov]

From: Jen, Mark

Sent: Sat 12/6/2014 2:29:53 AM

Subject: FW: Donlin EIS - Environmental Consequences review comments

EPA Comments - CH 3 Enviro Conseq (Oct 30 Distr).docx

Greetings Everyone!

I wanted to pass along the compiled EPA comments on the preliminary draft CH3 Environmental Consequences for the Donlin Gold Project EIS (distributed October 30). Thank you all for your thorough review and detailed comments. I really appreciate your timely submissions.

Also, I want to remind you that review comments on the sections distributed on November 13 are due to me no later than Friday, December 12.

The remaining sections include: surface water hydrology, water quality, air quality, fish & aquatic resources, subsistence, and climate change. These sections are loaded onto the Baker share drive.

Please let me know if you have any questions. Thanks!

Mark

-----Original Message-----

From: Jen, Mark

Sent: Tuesday, December 02, 2014 5:16 PM To: 'Kuhle, Don P POA'; 'Gordon, Keith POA'

Cc: Brelsford, Taylor

Subject: RE: Donlin EIS - Environmental Consequences review comments

Greetings Don and Keith,

I hope you all had a Happy Thanksgiving!

The EPA appreciates the opportunity to provide comments on the preliminary draft Chapter 3 Environmental Consequences Section. Please find attached our review comments for those sections distributed on October 30.

For those sections distributed on November 13, we will provide the remaining review comments for Chapter 3 no later than December 15.

Please let me know if you have any questions regarding these comments.

Thanks

Mark

To: Allnutt, David[Allnutt.David@epa.gov]; Anderson-Carnahan, Linda[Anderson-Carnahan.Linda@epa.gov]; Werntz,

James[Werntz.James@epa.gov]

From: Marcy, Ken

Sent: Tue 3/22/2016 6:10:36 PM Subject: Bi Weekly agenda for today

Quarterly ET Subgroup Notes 03 08 2016.docx

David, Linda, Jim,

I believe that Jim is out of the office today, and we had a fairly robust overview for the ET subgroup last week (attached notes from meeting), perhaps we can focus on just a few items:

Non-Responsive

Add any other items you'd like to discuss. Thanks, Ken

KEN MARCY | REGIONAL MINING COORDINATOR, NATIONAL PRIORITIES LIST COORDINATOR U.S. ENVIRONMENTAL PROTECTION AGENCY | REGION 10
1200 SIXTH AVE. SUITE 900 (ECL-112)
SEATTLE, WA 98101
P: (206) 553-6061 | F: (206) 553-0124
MARCY.KEN@EPA.GOV

QUARTERLY ET MINING SUBGROUP NOTES

March 14, 2016

Logistics:

Non-Responsive

Work Highlights:

Non-Responsive

 Donlin Mine Draft EIS Review/FA Comments: In January 2016, R10 met with Donlin and Alaska DNR to discuss the financial assurance information provided in the Draft EIS. Concurrent with this effort, and in response to these discussion, R10, with the support of Kuipers and Associates, developed a detailed comment letter looking at the FA attachments, and all sections in the draft EIS relevant to the FA cost calculations. This comment letter will be submitted directly to Donlin and the State early next week from Mark Jen. Overall R10 Draft EIS comments for Donlin are in development – comments due in April. On Tuesday, Mark provided a Donlin overview for the RTOC.

Non-Responsive

Non-Responsive

To: Allnutt, David[Allnutt.David@epa.gov]; Reichgott, Christine[Reichgott.Christine@epa.gov]; Szerlog,

Michael[Szerlog.Michael@epa.gov]; Soderlund, Dianne[Soderlund.Dianne@epa.gov]; Marcy, Ken[Marcy.Ken@epa.gov]

Cc: Pavy, Jonathan[Pavy.Jonathan@epa.gov]

From: Jen, Mark

Sent: Wed 3/5/2014 5:47:12 PM
Subject: RE: Donlin Gold Project EIS
Donlin Gold Briefing March 5 2014 Final.pptx

Please find attached the briefing material on the Donlin Gold Project.

Jonathan - can you print out for the meeting.

Thanks!

Mark S.Jen

EPA Region 10 Alaska Operations Office 222 W. Seventh Avenue #19 Anchorage, Alaska 99513 jen.mark@epa.gov (907) 271-3411

----Original Appointment-----

From: Allnutt, David

Sent: Wednesday, February 26, 2014 11:14 AM

To: Allnutt, David; Reichgott, Christine; Szerlog, Michael; Soderlund, Dianne; Marcy, Ken; Jen, Mark

Subject: Donlin Gold Project EIS

When: Wednesday, March 05, 2014 11:15 AM-12:00 PM (GMT-09:00) Alaska.

Where: R10Sea-ConfLineMM- Personal Matters / Ex. 6 | R10Sea-Room-20Small/R10-Rooms-Service-Center

MML Personal Matters / Ex. 6

Anyone calling from outside of EPA phone system must dial Personal Matters / Ex. 6 t, then the MML

EIS Development Schedule

Preliminary Draft CH 2

- Alternatives Meeting

March 12, 2014

Preliminary Draft CH 3

- Affected Environment

Feb 24 - March 27, 2014 (20-day)

Preliminary Draft CH 3

- Environmental Consequences

June 30 – July 25, 2014 (20-day)

Preliminary Draft EIS (PDEIS)

Nov 5 – Dec 9, 2014 (25-day)

Draft EIS (DEIS)

April to May 2015 (45-day)

Preliminary Final EIS (PFEIS)

Jan. 18 – Feb 19, 2016 (25-day)

Final EIS (FEIS)

May 2016

Alternatives Development Process

5 Step Process

- Step 1. Identify Scoping Issues and Related Project Components/Subcomponents
- Step 2. Identify Screening Criteria
 - Purpose and Need
 - Feasibility (technical/logistical and economic)
 - Environmental (physical, biological, and socioeconomic)
- Step 3. Identify Options Components/Subcomponents
- Step 4. Screen Options, Develop Options to Carry Forward
- Step 5. Package Options into Action Alternatives

 Identify Alternatives Eliminated from Detailed Analysis

Action Alternatives

Alternative 1 - No Action

Alternative 2 – Applicant's Proposed Action

Alternative 3 - Reduced Diesel Barging

3A - LNG Powered Ore Trucks/LNG Facility

3B - Diesel Pipeline

Alternative 4 – Reduced Barging Distance Birch Tree Crossing Port

Alternative 5 – Optional Tailings Methods/Locations

5A - Dry Stack Tailings

5B – Co-mingle Tailings

5C - Return PAG 6 Rock to Mine Pit

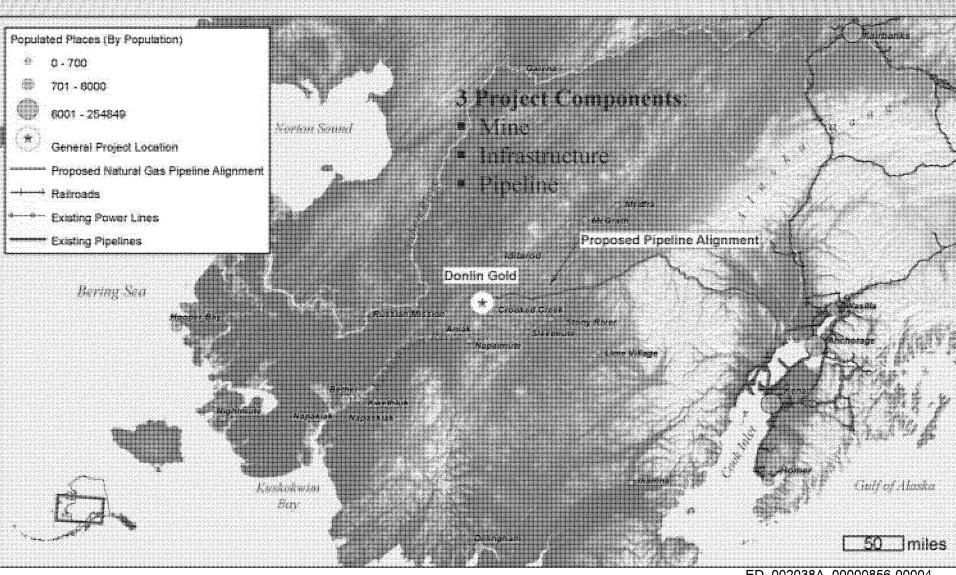
5D - Treat and Discharge Excess Water

Alternative 6 - Modified Natural Gas Pipeline Alignment

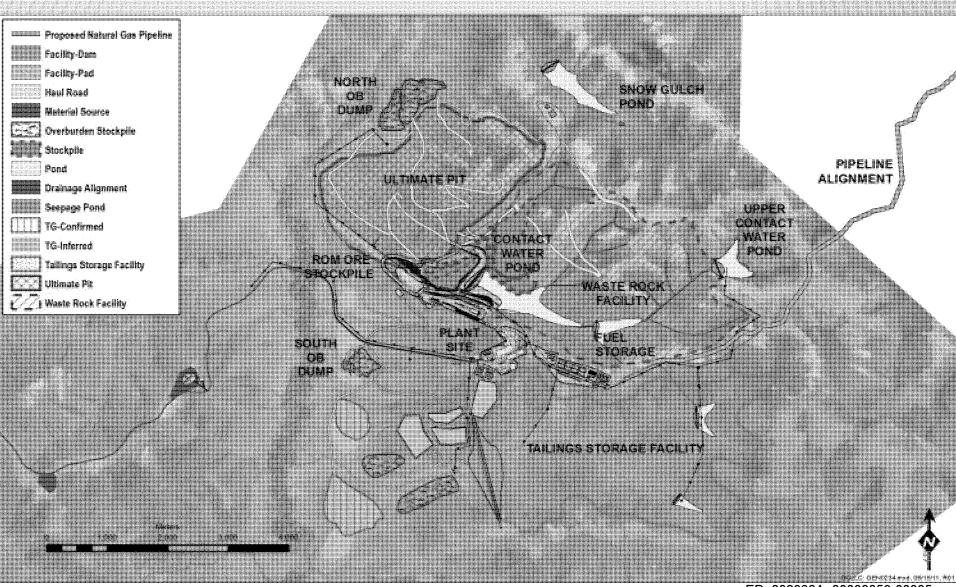
6A - Dalzell Gorge Route

6B - Kichatna Route

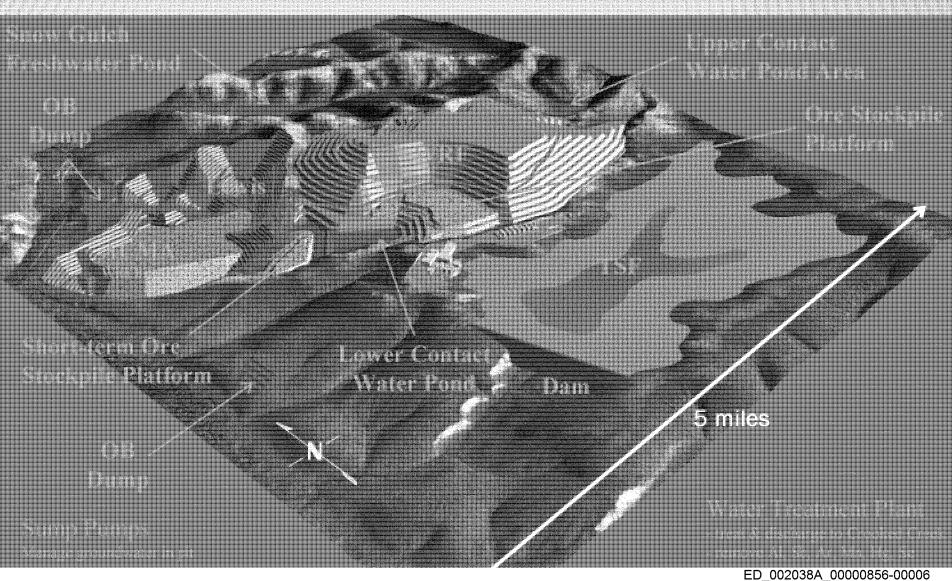
Alternative 2 - Applicant's Proposed Action



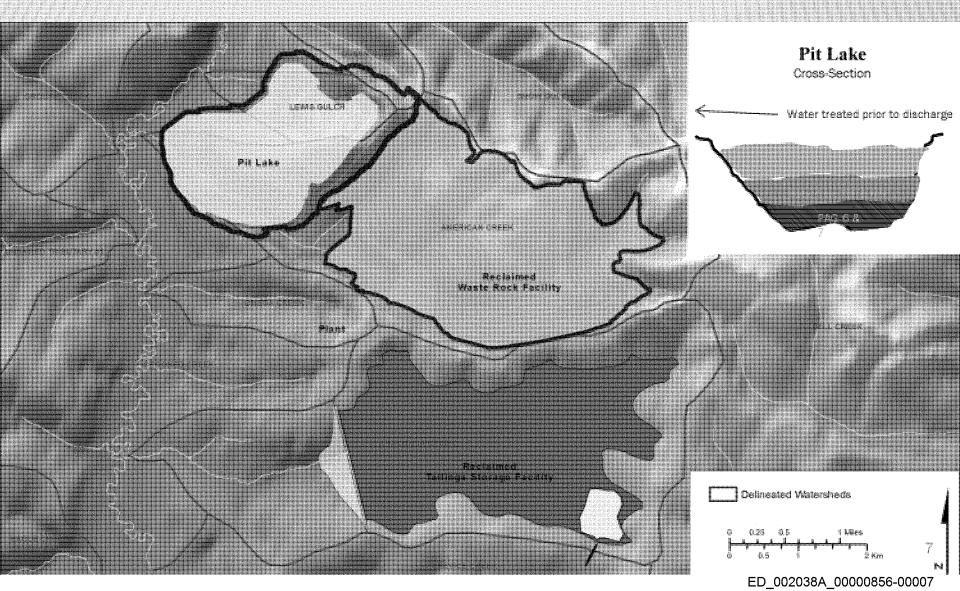
1. Mine - Pit, WRF, TSF



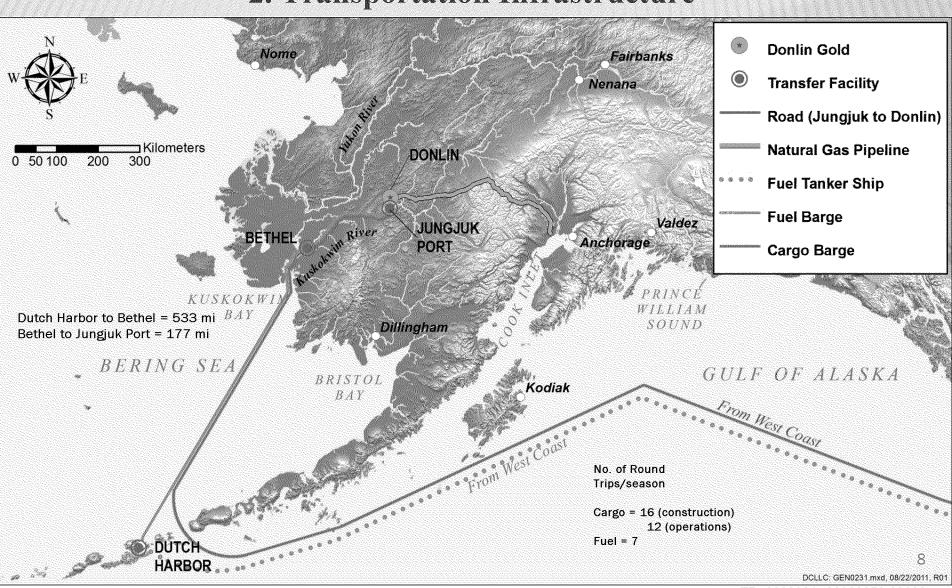
1. Mine - Water Management



1. Mine - Closure and Reclamation



2. Transportation Infrastructure

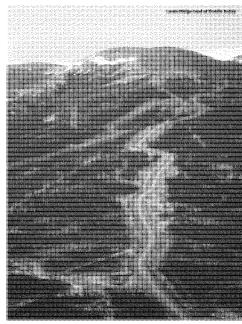


Donlin Gold Project

2. Infrastructure

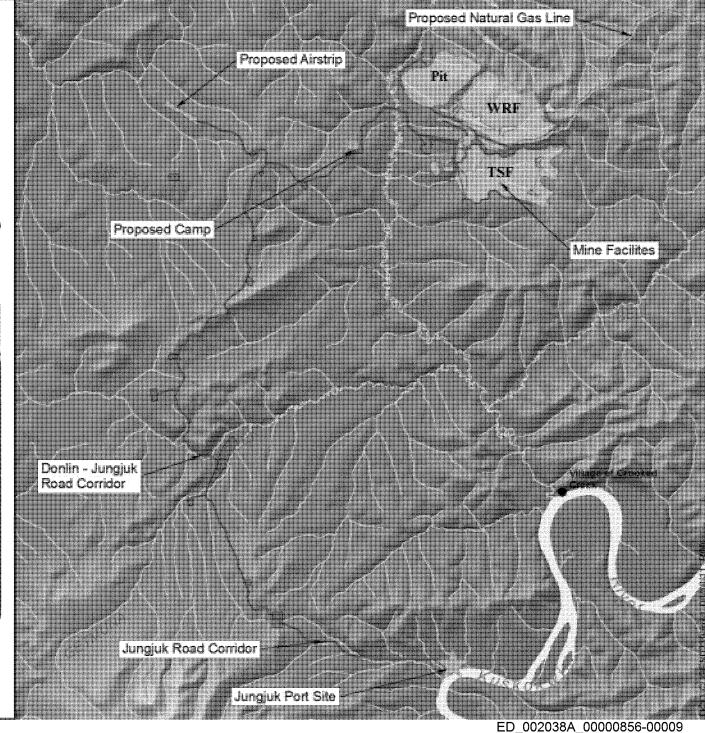
- Bethel cargo facility
- Jungjuk barge landing
- 30-mile gravel road
- 5,000-ft L airstrip
- Camp Construction (2500 bed)

Operations (600 bed)



2 Miles



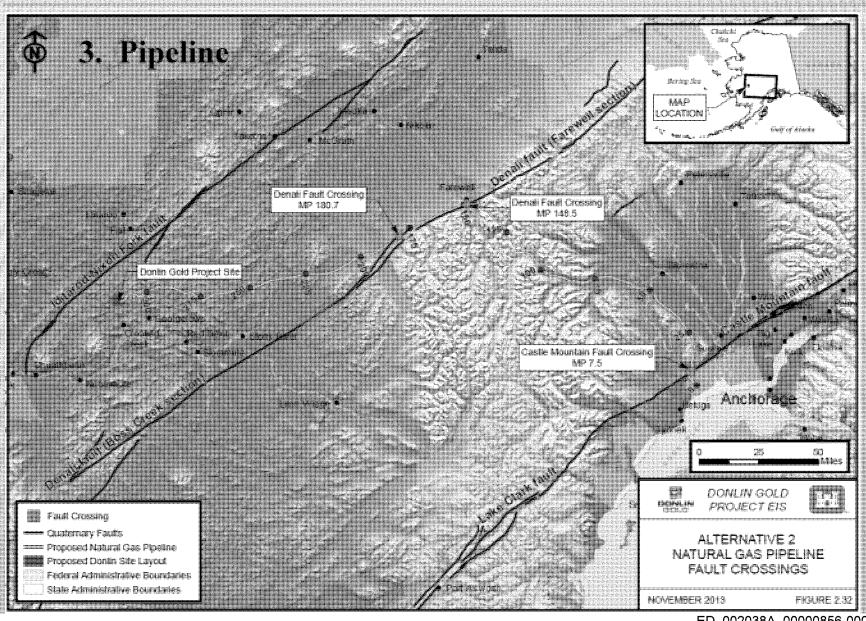


2. Transportation Infrastructure - Barge Landing

- 110-day open water season
- 122 round trips per season
 - 3 passings per day
 - 4 barges per tow
- Cargo barge 64 tows per season (550 tons each)
- 100,000 tons of cargo/year
- Fuel barge 58 tows per season (173,000 gallons each)
- 37.5 M gal of fuel/year

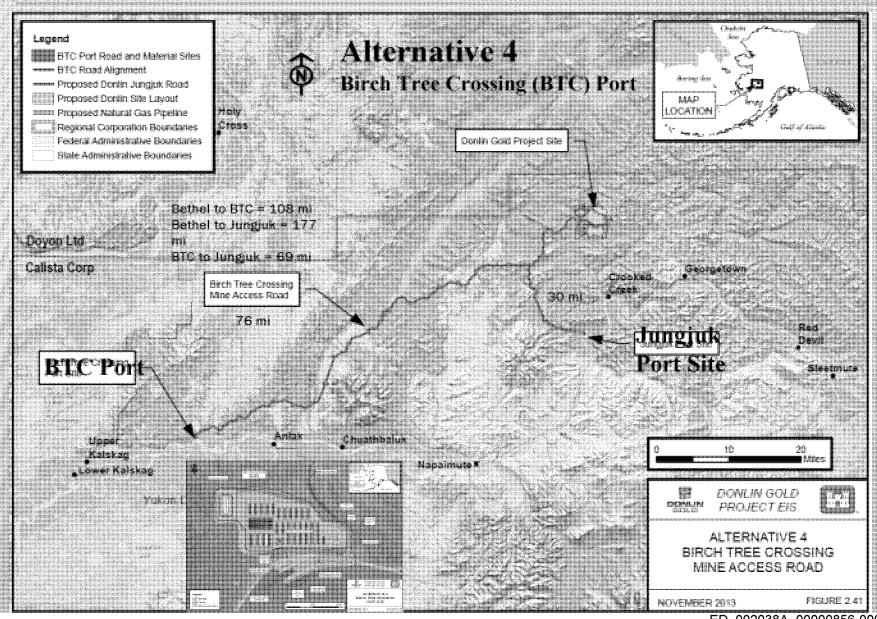


Jungjuk Barge Landing

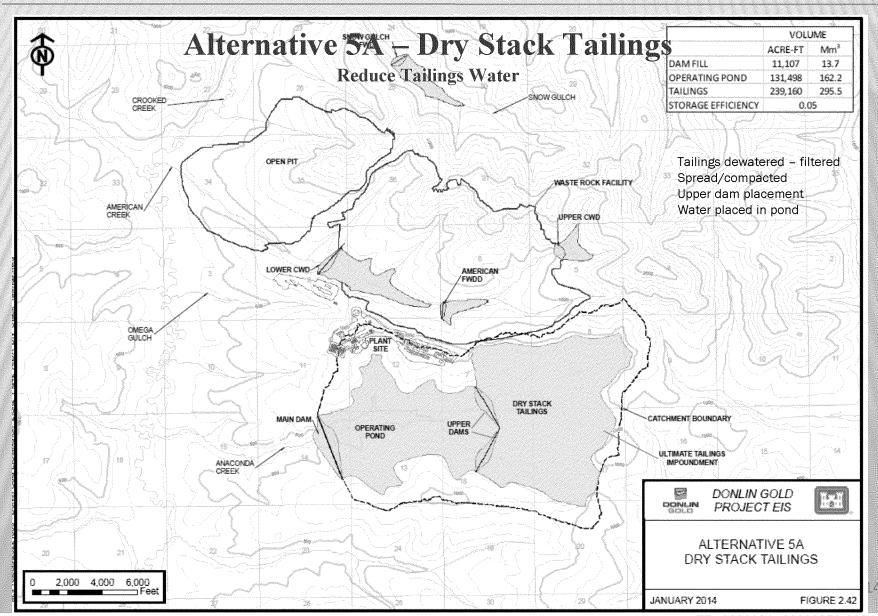


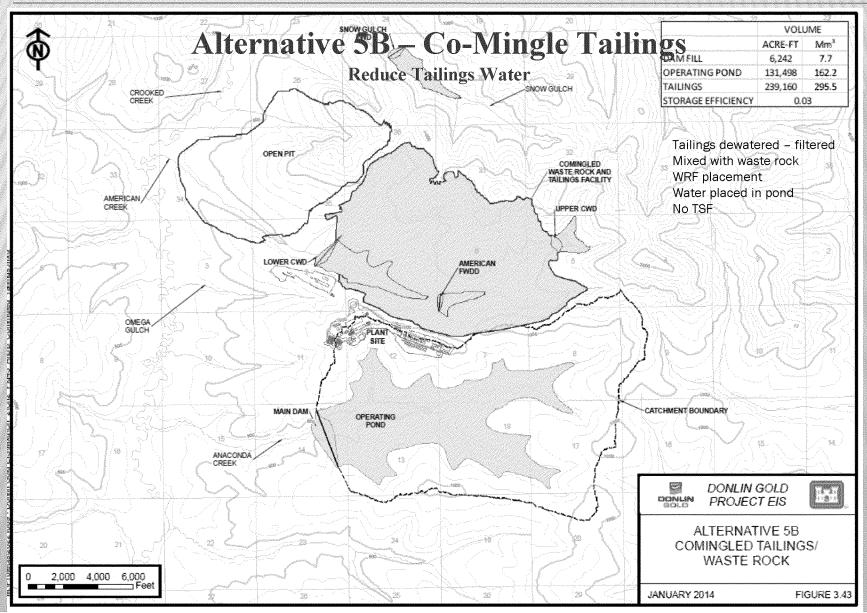
Alternative 3 – Reduced Diesel Barging

- **3A** LNG Powered Ore Trucks/LNG Facility and Storage Tanks (Trucks account for 75% of annual diesel consumption)
 - + Reductions in diesel consumption, barge trips (122 to 83), truck trips, diesel storage
 - LNG ore trucks may not be commercially available
- 3B Diesel Pipeline (18-in dia x 331 mile long Cook Inlet to mine site) Same route as natural gas pipeline w/ segment from Tyonek Diesel barged to the Tyonek North Foreland Barge Facility Diesel vs Natural Gas (No natural gas pipeline)
 - + No diesel barges

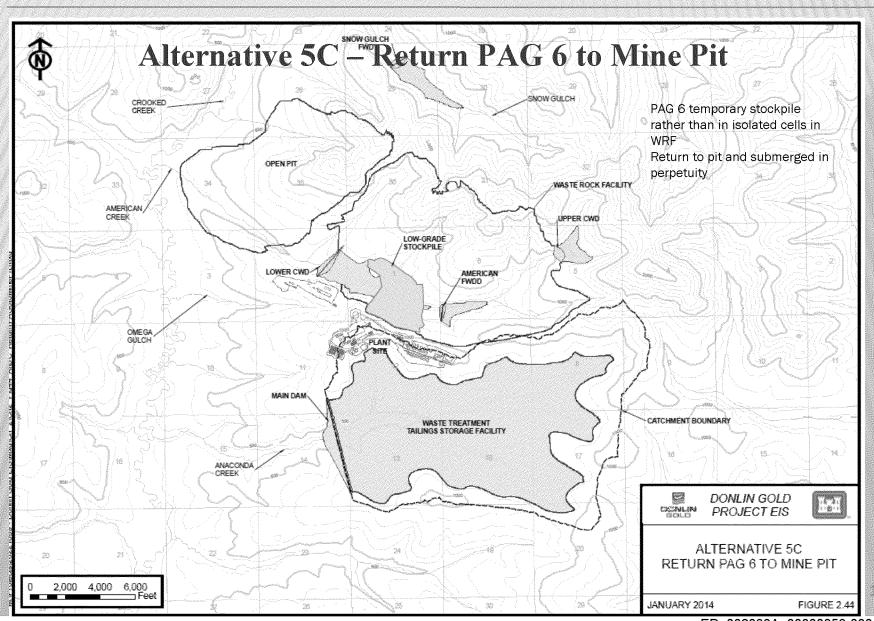


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15

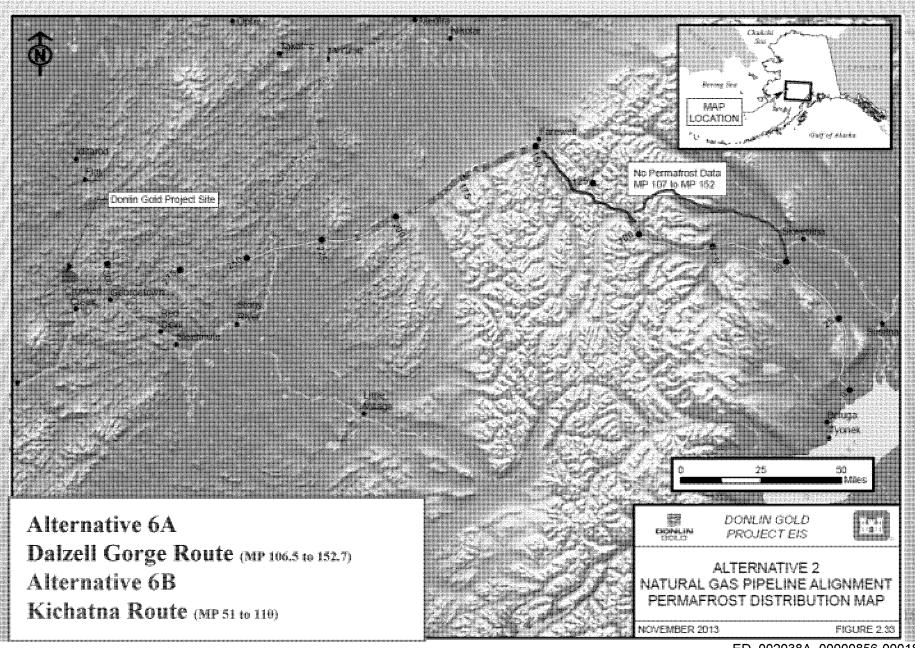


Alternative 5D - Treat/Discharge Excess Water

Sources of water storage/discharge

Open Pit dewatering wells*
Contact water dams (lower and upper),
Tailings Storage Facility (TSF) seepage recovery system,

Excess water would be treated and discharged rather than stored on site in TSF.



Financial Assurance and Bonding

- Corps, EPA, ADNR, and SRK provided presentations
- Corps can carry on 404 permit requirement for bonding
- ADNR/ADEC has bonding mechanism
 - Reclamation bonding required under state statutes
 - Mine Closure + Reclamation Plan Process
 - Financial Assurance (bond) based on ability to complete R & C
 - Bonds include letters of credit and surety bonds (\$1.2 M to \$305.2 M)
 - Bond reviewed every 5-years
 - Standardized Reclamation Cost Estimator (SRCE) model
 - Public review and comment period for bond (after NEPA)
- Donlin open to including certain level of financial information in the EIS

Questions?

To: Jen, Mark[Jen.Mark@epa.gov]; Godsey, Cindi[Godsey.Cindi@epa.gov]; Edmond, Lorraine[Edmond.Lorraine@epa.gov]; Eckley, Chris[Eckley.Chris@epa.gov]; LaCroix, Matthew[LaCroix.Matthew@epa.gov]; Grass, Running[Grass.Running@epa.gov]; Kissinger, Lon[Kissinger.Lon@epa.gov]; Bray, Dave[Bray.Dave@epa.gov]; Truskowski, Brent[truskowski.brent@epa.gov]; Marcy, Ken[Marcy.Ken@epa.gov]; Hood, Lynne[Hood.Lynne@epa.gov]; Lowinger, Mahri[Lowinger.Mahri@epa.gov]; Weaver,

Kerryann[weaver.kerryann@epa.gov]; Narvaez, Madonna[Narvaez.Madonna@epa.gov]

Cc: Soderlund, Dianne[Soderlund.Dianne@epa.gov]; Opalski, Dan[Opalski.Dan@epa.gov]; Allnutt,

David[Allnutt.David@epa.gov]; Williamson, Ann[Williamson.Ann@epa.gov]; Hastings, Janis[Hastings.Janis@epa.gov]; Werntz, James[Werntz.James@epa.gov]

From: Pirzadeh, Michelle
Sent: Fri 5/6/2016 7:49:04 PM
Subject: Thank you Donlin Team!

Hello Donlin project team,

I want to extend a personal thank you for your efforts on the Proposed Donlin Gold Mine Environmental Impact Statement. Your efforts make a difference to the people in the Yukon Kuskokwim Delta, and reflect the best work of our Agency. This is a significant project in Alaska and it is important that we do our best to get it right. You have each helped achieve our mission to protect human health and the environment by ensuring that our greatest expertise and regulatory perspectives have been raised through the Environmental Impact Statement, and that our agency review and decision making is coordinated and integrated to the highest standards. For some of you this has been an ongoing effort for almost a decade. Early on some of you helped provide Mining Information and NEPA training to tribes and other Alaska Native organizations in Bethel and Aniak which helped pave the way for their engagement in the environmental review process. During the scoping process you helped ensure that EPA had a presence in the communities to show an integrated federal approach. You have helped ensure that the latest developments on mining technology, financial assurance, air quality, water quality, wetlands, environmental justice, tribal consultation and human health be considered and taken seriously in the environmental review process.

I know your work is ongoing and I thank you for your commitment to excellence. Please know how much I value your efforts to ensure the highest caliber of Agency decision making.

Dennis

To: Allnutt, David[Allnutt.David@epa.gov]

From: Jen, Mark

Sent: Thur 8/25/2016 12:42:22 AM

Subject: RE: Presidential Transition Assignment--Heads Up

Copy of Transition Issues 3 Tab Template-MJ.xlsx

Hi David,

Let me know if the language provided under the Donlin Gold Project is what you need.

Thanks

Mark

From: Allnutt, David

Sent: Wednesday, August 24, 2016 4:09 PM

To: Shaw, Hanh <Shaw.Hanh@epa.gov>; Peterson, Erik <Peterson.Erik@epa.gov>; Stoddard, Jamey <Stoddard.Jamey@epa.gov>;

Jen, Mark < Jen. Mark@epa.gov>

Cc: Soderlund, Dianne <Soderlund.Dianne@epa.gov>; Littleton, Christine <Littleton.Christine@epa.gov>; Anderson-Carnahan,

Linda < Anderson-Carnahan. Linda @epa.gov>

Subject: RE: Presidential Transition Assignment--Heads Up

Hanh, Erik, Jamey, Mark – thanks for the quick responses earlier today. Our assignment has changed a bit, and I now need to submit information in the format of the attached spreadsheet NLT early Monday morning. You'll see that I've started inputting information. If you each could insert short narratives (no more than four sentences) into the rows I've assigned to you, that would be much appreciated.

Dianne – if you want to take a stab at the transboundary row in the 2^{nd} tab, that would be great as well. If you're unable, I can do tomorrow.



R. David Allnutt, Director
Office of Environmental Review and Assessment
U.S. EPA, Region 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140
(206) 553-2581



From: Shaw, Hanh

Sent: Wednesday, August 24, 2016 10:59 AM

To: Allnutt, David <Allnutt.David@epa.gov>; Peterson, Erik <Peterson.Erik@epa.gov>; Stoddard, Jamey

<Stoddard.Jamey@epa.gov>; Jen, Mark <Jen.Mark@epa.gov>

Cc: Soderlund, Dianne < Soderlund. Dianne@epa.gov >; Littleton, Christine < Littleton. Christine@epa.gov >; Curtis, Jennifer

<Curtis.Jennifer@epa.gov>; Seyfried, Erin <Seyfried.Erin@epa.gov>; Lidgard, Michael <Lidgard.Michael@epa.gov>

Subject: RE: Presidential Transition Assignment--Heads Up

Hi David,

The Liberty Development Project should be classified as near term. The most recent project timeline provided by BOEM indicates that the cooperating agency review of the Draft EIS will occur in January and February 2017. The Notice of Availability for the DEIS is scheduled for late April.

EPA will be developing the draft NPDES permit, technical fact sheet, and draft Ocean Discharge Criteria Evaluation this fall and early winter. Our plan is to release the draft agency documents for public review at the same time as the DEIS. We will also work closely with BOEM and the Services to develop one comprehensive Biological Assessment for a joint ESA consultation.

The final EIS is currently slated for completion in February 2018.

Multiple programs are involved in the review and permitting for this project, including: NPDES, NEPA compliance, CAA 309 NEPA review, 404, UIC Class I, and possibly ocean dumping. Since each of the projects you identified are in different stages with varying agency actions, I would recommend that they are listed separately.

Please let me know if you would like additional information. Also, the Nanushuk project was not included on your list, but perhaps it should as a major issue?

Hanh

From: Allnutt, David

Sent: Wednesday, August 24, 2016 9:45 AM

To: Peterson, Erik <Peterson.Erik@epa.gov>; Stoddard, Jamey <Stoddard.Jamey@epa.gov>; Shaw, Hanh <Shaw.Hanh@epa.gov>;

Jen, Mark < Jen. Mark@epa.gov>

Subject: FW: Presidential Transition Assignment--Heads Up

Erik/Jamey/Hanh/Mark – I'd be interested in your thoughts about adding Millennium, Chuitna, Liberty, and/or Donlin (respectively) to the list described below. Are there likely to be significant developments between Jan. 20 and April 30, 2017? Should they be identified separately or lumped in some way (e.g., Alaska Large Project Reviews, Alaska O&G Project Reviews, Energy Project Reviews, etc.)?



R. David Allnutt, Director Office of Environmental Review and Assessment U.S. EPA, Region 10 1200 Sixth Avenue, Suite 900 Seattle, Washington 98101-3140 (206) 553-2581













From: Williamson, Ann

Sent: Tuesday, August 23, 2016 5:33 PM

To: Allnutt, David <<u>Allnutt.David@epa.gov</u>>; Anderson-Carnahan, Linda <<u>Anderson-Carnahan.Linda@epa.gov</u>>; Barber, Anthony <<u>Barber.Anthony@epa.gov</u>>; Bilbrey, Sheryl <<u>Bilbrey.Sheryl@epa.gov</u>>; Castanon, Lisa <<u>Castanon.Lisa@epa.gov</u>>; Davies, Lauris <Davies.Lauris@epa.gov>; Dunbar, Bill <dunbar.bill@epa.gov>; Edmondson, Lucy <Edmondson.Lucy@epa.gov>; Fleming, Sheila <fleming.sheila@epa.gov>; Fordham, Tami <Fordham.Tami@epa.gov>; Hamlin, Tim <Hamlin.Tim@epa.gov>; Hastings, Janis <a href="mailto:-, Holsman, Marianne@epa.gov; Kelly, Joyce , Kowalski, Ed < Kowalski. Edward@epa.gov>; McLerran, Dennis < mclerran.dennis@epa.gov>; Opalski, Dan < Opalski.Dan@epa.gov>; Pirzadeh, Michelle <Pirzadeh.Michelle@epa.gov>; Psyk, Christine <Psyk.Christine@epa.gov>; Soderlund, Dianne <<u>Soderlund.Dianne@epa.gov</u>>; Stern, Allyn <<u>Stern.Allyn@epa.gov</u>>; Tyler, Kendra <<u>Tyler.Kendra@epa.gov</u>>; Tyree, James <<u>Tyree.James@epa.gov</u>>; VanHaagen, Paula <<u>vanhaagen.paula@epa.gov</u>>; Werntz, James <<u>Werntz.James@epa.gov</u>>; Williamson, Ann < Williamson. Ann@epa.gov>; Woods, Jim < Woods. Jim@epa.gov>

Subject: Presidential Transition Assignment--Heads Up

ET and Associates,

This message is to alert you all to our first Transition assignment and deadline. As the Region's Presidential Transition Coordinator,

I've just received this assignment with a deadline for submittal of **Monday, August 29**th. Short turnaround, I realize, however, much of the material necessary to complete this assignment may already exist. Kendra, Marianne and I have met to discuss what we can assemble from existing material. While we are doing the assembling, I am sharing the assignment so that we can get as comprehensive a package pulled together by the deadline as possible. It is anticipated and acknowledged that there will likely be additions, changes, refinements, etc., following this initial submittal...we have been told that there will be ample opportunity later to update, review and supplement this information.

For now, I am sharing a list of Region 10-specific topic areas we've brainstormed for inclusion as either a near-term or other major issue. Don't get derailed by the format of the table below...it's a bit random. Our submittal for the <u>near term</u> category will be a short paragraph (2-4 sentences) for each issue, when an action needs/or is expected to be taken, and who is the key contact. Those that are considered <u>major issues</u> will also have a short write-up and include rationale for raising the issue to the "landing team", and a point of contact. The definition of "near term" is any key issue the incoming Administration may need to address between January 20 and April 30, 2017. The definition of "major issue" is non-urgent but important.

What we need from you is a general reaction to the list—are there additions you'd suggest or perhaps deletions, or clarifications/refinements as well? If you want to use the color coding to recommend near term or major, please do (yellow= near term, blue= major non-urgent). Feel free to reach out to me, Kendra or Marianne who are assisting with this assignment.

Near Term Issues or Other Major Issues			
OR CZARA	Large enforcement cases/settlements	Portland Lead (Pb) and Copper	Portland air toxics
NOI Temp TMDL Snake River/Columbia River	Fairbanks air quality	Upper Columbia River	Bristol Bay
Whatcom County shellfish beds	FMC	Other CAA non-attainment areas in the Region?	AK Transboundary Mining
Washington, Idaho, and Oregon WQS & HHC	Portland Harbor	Suction Dredge Mining	IDPES
Alaska 404 program?	Hanford	Wildfire smoke impacts	Small muni issues (ID)
Puget Sound	CDA/Silver Valley	EJ 2020	WA CAFO general permit
Methyl bromide	TRAR	AK wastewater infrastructure	
IG report on ODEQ Lead (Pb) program	Tribal issues-e.g., GAP funding/backhaul	Large scale resource extraction projects	

Ann Williamson, ORA/RAD Associate Director US EPA Region 10 1200 6th Avenue, M/S OEA-140 (temporary) Seattle, Washington 98101 (206) 553-2739

To: Allnutt, David[Allnutt.David@epa.gov]; Soderlund, Dianne[Soderlund.Dianne@epa.gov]

Cc: Kissinger, Lon[Kissinger.Lon@epa.gov]; Eckley, Chris[Eckley.Chris@epa.gov]; Nogi, Jill[nogi.jill@epa.gov]; Werntz,

James[Werntz.James@epa.gov]; Islam, Mahbubul[Islam.Mahbubul@epa.gov]; Allnutt, David[Allnutt.David@epa.gov]

From: Jen, Mark

Sent: Fri 2/24/2017 7:50:12 PM

Subject: Donlin Gold Project - DRAFT EPA Comments on the SOW for the Human Health Risk Assessment

EPA Comments - Donlin SOW HHRA 2-24.docx



Hi David and Dianne

Sounds like you are both out of the office today. I will let the Corps know to expect our comments next Monday.

However, if you are checking your emails today and would like to do some light reading, please consider reviewing/concurring on the latest version of the EPA comment letter on the Donlin Gold Project Scope of Work for the Human Health Risk Assessment.

Thanks Lon for providing additional comments.

Have a great weekend!

Mark

From: Jen, Mark

Sent: Thursday, February 23, 2017 2:59 PM

To: Allnutt, David <Allnutt.David@epa.gov>; Soderlund, Dianne <Soderlund.Dianne@epa.gov>

Cc: Kissinger, Lon < Kissinger.Lon@epa.gov>; Eckley, Chris < Eckley.Chris@epa.gov>; Nogi, Jill < nogi.jill@epa.gov>; Werntz, James

<Werntz.James@epa.gov>

Subject: Donlin Gold Project - DRAFT EPA Comments on the SOW for the Human Health Risk Assessment

Greetings David and Dianne

I wanted to let you know that Lon and Chris provided excellent comments on the Donlin Gold Project Scope of Work for the Human Health Risk Assessment.

We request your review/concurrence of the EPA comments before sending them to the Corps. The Corps would like to receive our comments by tomorrow.

I have also attached the Donlin HHRA SOW and Conceptual Site Model Schematic that was the basis for our review comments.

Lon and Chris – please review and provide additional comments as appropriate.

Let me know if additional time is needed.

Thanks

Mark S. Jen

U.S. Environmental Protection Agency, Region 10 Alaska Operations Office 222 W. Seventh Avenue #19 Anchorage, Alaska 99513-7588 (907) 271-3411 **To:** Kissinger, Lon[Kissinger.Lon@epa.gov]

Cc: Bachman, Brenda[bachman.brenda@epa.gov]; Littleton, Christine[Littleton.Christine@epa.gov]; Allnutt,

David[Allnutt.David@epa.gov]

From: Jen, Mark

Sent: Fri 10/21/2016 4:34:38 PM

Subject: FW: Donlin Gold Project HIA released to cooperating agencies

Donlin Gold draft HIA (0524 2016).pdf



Hey Lon,

It was great to see you at the NEPA training this week. I forget to touch base with you regarding the Donlin Gold Health Impact Assessment. Do you have time to review the Donlin Gold Health Impact Assessment. EPA raised the issue that the HIA was not publicly reviewed in our comment letter on the Draft EIS.

We asked ATSDR for a review of the HIA, but they had to decline.

Since you are the R10 expert in health risk assessment, I am hoping you will have time to review the HIA.

Let me know if you have any questions.

Thank you!

Mark

From: Littleton, Christine

Sent: Friday, July 22, 2016 9:45 AM

To: Kissinger, Lon < Kissinger.Lon@epa.gov >; Kaetzel, Rhonda < Kaetzel.Rhonda@epa.gov >

Cc: Jen, Mark < Jen. Mark@epa.gov>; Wendel, Arthur < Wendel. Arthur@epa.gov>; Joe Sarcone < iqq5@cdc.gov>

Subject: FW: Donlin Gold Project HIA released to cooperating agencies

Hello Lon and Rhonda,

The Corps released the Feb 2016 draft HIA to the cooperating agencies last week. We would very much appreciate your expert opinions on the document (attached). While there is no specific due date for the review, we want our comments to be early enough to influence the final EIS. Is 30 days feasible?

Thank you for your help.

Teena Littleton

(formerly Reichgott)

Manager, Environmental Review and Sediment Management Unit

Office of Environmental Review and Assessment

EPA Region 10 OERA-202-3

1200 Sixth Avenue, Suite 900

Seattle, WA 98101-3140

206-553-1601

littleton.christine@epa.gov

From: Jen, Mark

Sent: Thursday, July 14, 2016 3:15 PM

To: Littleton, Christine < <u>Littleton.Christine@epa.gov</u>>

Cc: Soderlund, Dianne < Soderlund. Dianne@epa.gov>; Fordham, Tami < Fordham. Tami@epa.gov>; Allnutt, David

<<u>Allnutt.David@epa.gov</u>>

Subject: RE: Donlin Gold Project HIA released to cooperating agencies

Hi Teena,

Here it is attached.

Thanks

Mark

From: Littleton, Christine

Sent: Thursday, July 14, 2016 1:50 PM **To:** Jen, Mark < <u>Jen.Mark@epa.gov</u>>

Cc: Soderlund, Dianne < Soderlund. Dianne@epa.gov>; Fordham, Tami < Fordham. Tami@epa.gov>; Allnutt, David

<Allnutt.David@epa.gov>

Subject: RE: Donlin Gold Project HIA released to cooperating agencies

Yes, I can make that request, both to Lon and to ATSDR. Do you have an electronic version of the document?

Teena Littleton

(formerly Reichgott)

Manager, Environmental Review and Sediment Management Unit

Office of Environmental Review and Assessment

EPA Region 10 OERA-202-3 1200 Sixth Avenue, Suite 900 Seattle, WA 98101-3140

206-553-1601

littleton.christine@epa.gov

From: Jen, Mark

Sent: Thursday, July 14, 2016 2:33 PM

To: Littleton, Christine < Littleton. Christine@epa.gov>

Cc: Soderlund, Dianne <Soderlund.Dianne@epa.gov>; Fordham, Tami <Fordham.Tami@epa.gov>; Allnutt, David

<<u>Allnutt.David@epa.gov</u>>

Subject: Donlin Gold Project HIA released to cooperating agencies

Hi Teena,

The Corps released the Draft HIA for the Donlin Gold Project (Feb 2016) to the Cooperating Agencies. The Corps requested that this document remain within the cooperating agencies.

The document is over 200 pages. Is this something we can request Lon K. to review and comment? It would be great if we can have ATSDR conduct a detailed review as well.

We should get comments to the Corps for inclusion in the Donlin Gold FEIS.

Thanks

Mark S. Jen

U.S. Environmental Protection Agency, Region 10 Alaska Operations Office 222 W. Seventh Avenue #19 Anchorage, Alaska 99513-7588 (907) 271-3411

To: Hessert, Aimee[Hessert.Aimee@epa.gov]; Huffman, Linda[Huffman.Linda@epa.gov]

Cc: Jen, Mark[Jen.Mark@epa.gov]; Owens, Kim[Owens.Kim@epa.gov]; Allnutt,

David[Allnutt.David@epa.gov]

From: Littleton, Christine

Sent: Tue 5/24/2016 9:06:30 PM

Sent: Tue 5/24/2016 9.06.30 Pivi

Subject: RE: Urgent: Donlin briefing materials and letter

Donlin Gold Briefing OFA May 25 2016.pptx

A revised Power Point is attached! Can be printed out as is.

Teena Littleton
(formerly Reichgott)
Manager, Environmental Review and Sediment Management Unit
Office of Environmental Review and Assessment
EPA Region 10 OERA-202-3
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140
206-553-1601
littleton.christine@epa.gov

----Original Message-----From: Littleton, Christine

Sent: Tuesday, May 24, 2016 1:20 PM

To: Hessert, Aimee < Hessert. Aimee@epa.gov>

Cc: Jen, Mark <Jen.Mark@epa.gov>; Owens, Kim <Owens.Kim@epa.gov>; Allnutt, David

<Allnutt.David@epa.gov>

Teena Littleton (formerly Reichgott)

Subject: RE: Urgent: Donlin briefing materials and letter

I have a revised cover letter and the previous detailed comments ready at this point - we're still working on revising the detailed comments. A few ppt slides will follow - aiming for your 1:45 deadline.

Manager, Environmental Review and Sediment Management Unit Office of Environmental Review and Assessment EPA Region 10 OERA-202-3 1200 Sixth Avenue, Suite 900 Seattle, WA 98101-3140 206-553-1601 littleton.christine@epa.gov

----Original Message-----From: Hessert, Aimee

Sent: Tuesday, May 24, 2016 1:14 PM

To: Littleton, Christine <Littleton.Christine@epa.gov> Subject: Urgent: Donlin briefing materials and letter

Teena,

I left you a voicemail and wanted to follow-up by email. In order for Cynthia to be able to review materials for tomorrow, we will need the briefing materials no later than 4:45 EST so her secretary can

prepare the package for her tonight.

We really need to see the letter you want us to send forward by 430 EST, so we can incorporate our comments.

Thanks, Aimee

Sent from my iPhone

Crooked Creek Airstrip Exploration Camp

DONLIN GOLD PROJECT

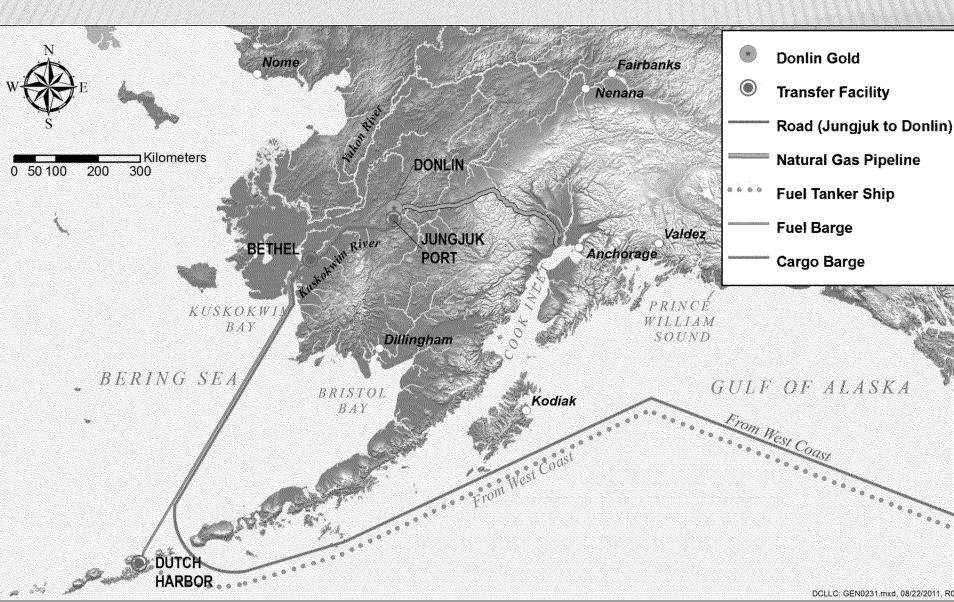
25 May 2016

Tailings Storage Facility
TSF

-

DONLIN'S PROPOSED PROJECT

■ MINE ■ TRANSPORTATION INFRASTRUCTURE ■ PIPELINE ■



STAKEHOLDERS

DONLIN GOLD LLC

- Barrick Gold US, Inc
- NovaGold Resources, Inc

LANDOWNERS

Mine Site (ANCSA)

- Calista Corp. (subsurface)
- Kuskokwim Corp. (surface)

Transportation Infrastructure

 Calista, Kuskokwim, State, City of Bethel

Natural Gas Pipeline Right-of-Way

- State of Alaska (66%)
- Federal BLM (31%)
- Calista Corp. & Cook Inlet (CIRI)

RESIDENTS (Y-K Region)

Alaska Tribes (66)

EIS DEVELOPMENT

Corps of Engineers – Lead

Cooperating Agencies

- EPA, BLM, PHMSA, USFWS
- State ADNR, ADEC, ADFG
- Tribal Governments (6)

Akiak

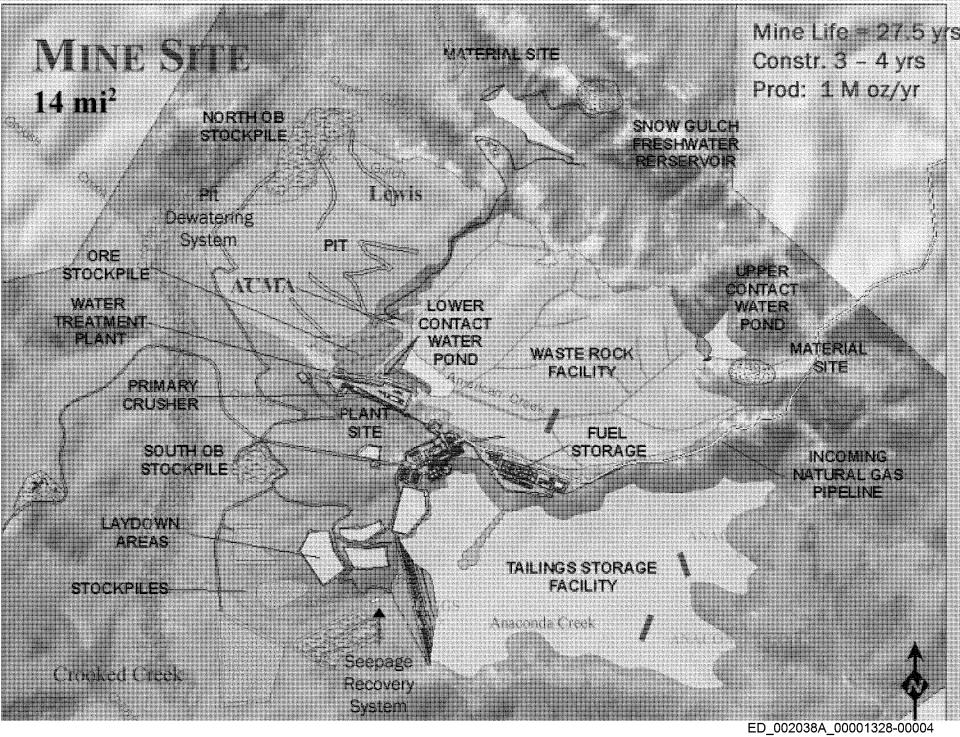
Amak

Chuathbaluk

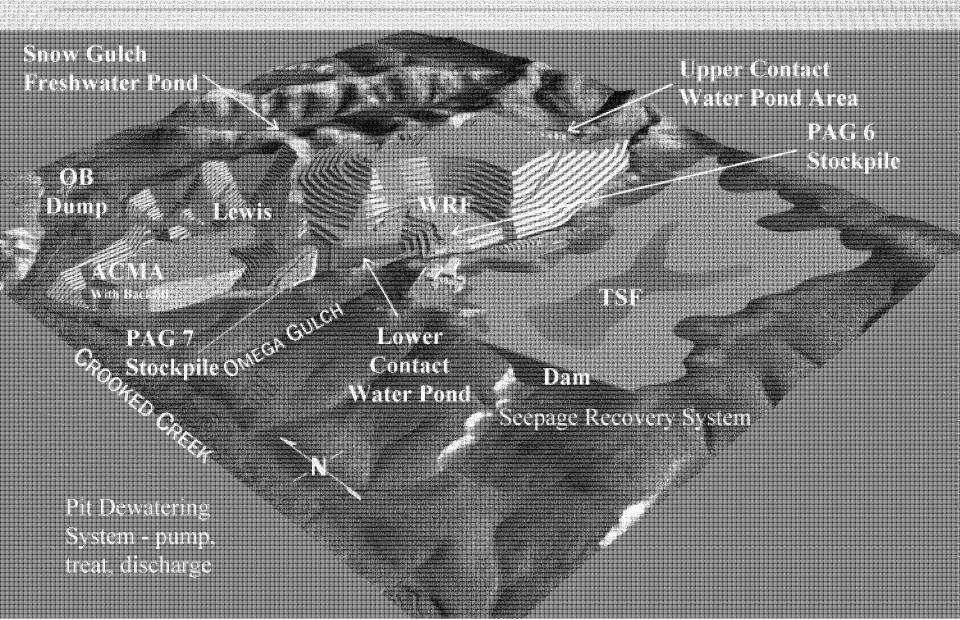
Crooked Creek

Kmik

Napaimute

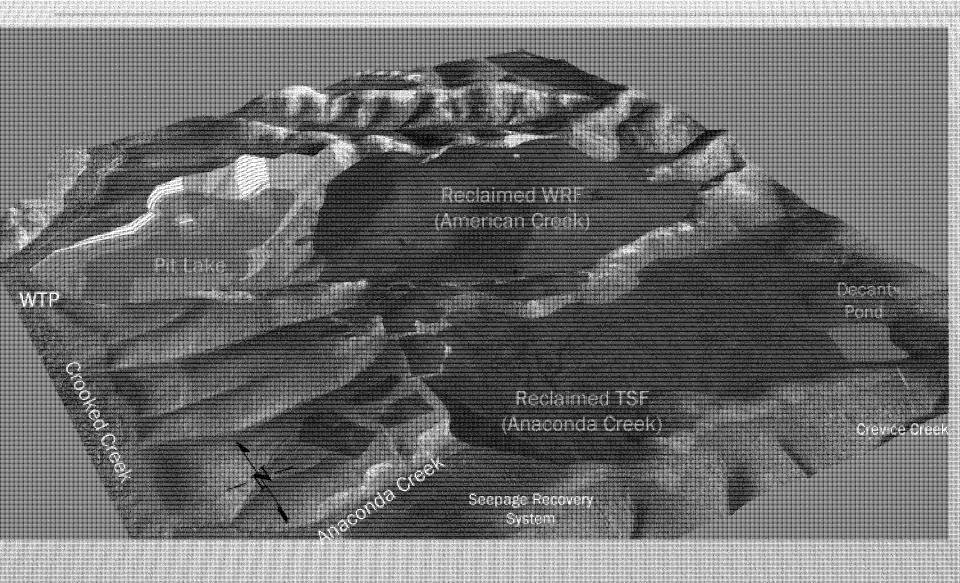


WATER MANAGEMENT



RECLAMATION & CLOSURE

60-Years Post-Closure



TRANSPORTATION INFRASTRUCTURE

Facilities

Jungjuk Port & staging area (26 ac)

110-day season
 (122 round trip

barges/yr)

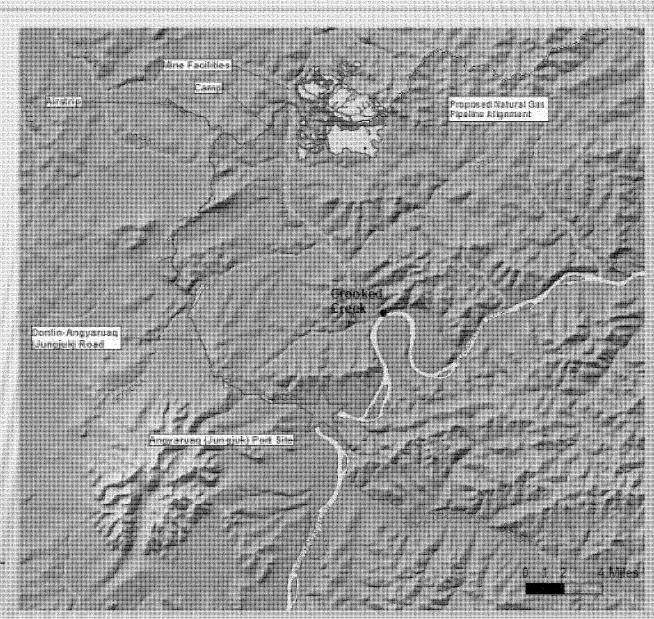
- 30-mi gravel road
- 5,000-ft airstrip
- 40 mil gal diesel fuel storage

Fugitive Dust

- Characterize gravel source material sites
- Cap road surface

Chemical Spills

 Response Planning with local communities diesel, CN, Hg



ALTERNATIVES

Draft Environmental Impact Statement

- 1. No Action
- 2. Donlin Gold's Proposed Action
- 3. Reduced Diesel Barging
 - 3A LNG Facility/Powered Haul Trucks (32%)
 - 3B Diesel Pipeline (48%)
- 4. Reduced Barging Distance

Birch Tree Crossing Port (38%)

- 5. Mine Site
 - 5A Dry Stack Tailings/Two Options
- 6. Modified Pipeline Alignment
 - 6A Dalzell Gorge Pipeline Route

ENVIRONMENTALLY PREFERRABLE ALTERNATIVE

Recommendation

Deliberative Process / Ex. 5

WETLANDS & CWA §404

- Project Impacts:
 - Direct: 9,758 ac WUS; 56 linear mi streams
 - Indirect: >5,000 ac (pit dewatering, fugitive dust)
- Corps PN at DEIS stage insufficient information
- PJD Corps not approve, inaccurate being revised
- Functional Assessment rejected by Corps being revised
- CWA §404(b)(1) guidelines LEDPA, sig. degradation
- Compensatory Mitigation Plan
- 404 program preparing 3(a) letter
- ARNI Kuskokwim River and tributaries
- Waste Treatment Facility issue (404/402)
- Recommendation: Deliberative Process / Ex. 5

FINANCIAL ASSURANCE

- Region 10 Mining Strategy
 - Disclose FA cost estimates in the DEIS (Appendix A)
- Mine/Transportation
 - Reclamation & Closure = \$259 M
 - Long-Term Post Closure Costs = \$73 M (Trust Fund)
- Pipeline
 - Removal, Abandonment, Reclamation = \$10 M
- Total: \$342 M
- State of Alaska & BLM
 - Manage/Implement FA Instrument
 - Letter of Credit and/or Surety Bond

SPILL RISK SCENARIOS

- Ten Spill Risk Scenarios
 Recommendation Deliberative Process / Ex. 5
- Low Probability / High Consequence Events
 Recommendation Deliberative Process / Ex. 5
- Tailings Storage Facility & Dam (528 M gal)
 release of tailings & contaminated water
 - 1. Partial breach TSF dam & downslope failure
 - 2. Liner rupture sinkhole & outflow of tailings
- Failure Mode Effects Analysis (FMEA) –
 Recommendation Deliberative Process / Ex. 5

HUMAN HEALTH

Health Impact Assessment (HIA)

Recommendation:

Deliberative Process / Ex. 5

 Elevated levels of Hg and As – Cumulative Effects exposure pathways, bioaccumulation-subsistence foods

Recommendation: Deliberative Process / Ex. 5

- Fish Consumption Advisories

Recommendation: Deliberative Process / Ex. 5

Hg Biological Monitoring

Recommendation: Deliberative Process / Ex. 5

SUBSISTENCE

- Maintain traditional way of life
- Impacts to subsistence resources fish, moose, waterfowl, and plants
- Restrictions on access to traditional resources and use areas
- Less resources & more competition
- Shift in resource use King Salmon closures
- Contamination of subsistence resources
- Hg concentration in fish tissues could be up to 3% greater than current levels

Deliberative Process / Ex. 5

KUSKOKWIM RIVER

- Elevated Hg and As levels

Recommendation: Deliberative Process / Ex. 5

- **Increase Barge Traffic & Barge Grounding**
 - Shoreline Erosion (0.01 to 0.21 acres/mile/year)
 - Barge wakes, bed scour, sedimentation, and turbidity
 - Conflicts subsistence/commercial fishing

Recommendation:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Maintenance Dredging @ Jungjuk Port

Deliberative Process / Ex. 5

CHEMICALS OF CONCERN

Mercury, Arsenic, ARD/ML

- Mid-Kuskokwim River/Crooked Creek "AK Mercury Belt"
- Naturally occurring elevated concentrations in water, soils, sediments, fish tissues;
- Sources of emissions: fugitive dust, facilities, stack emissions
- Methyl Mercury bioavailable, biomagnify in food chain

RECOMMENDATION:

Deliberative Process / Ex. 5

FUGITIVE DUST EMISSIONS

Recommendation

CLIMATE CHANGE & GHG EMISSIONS

Recommendation

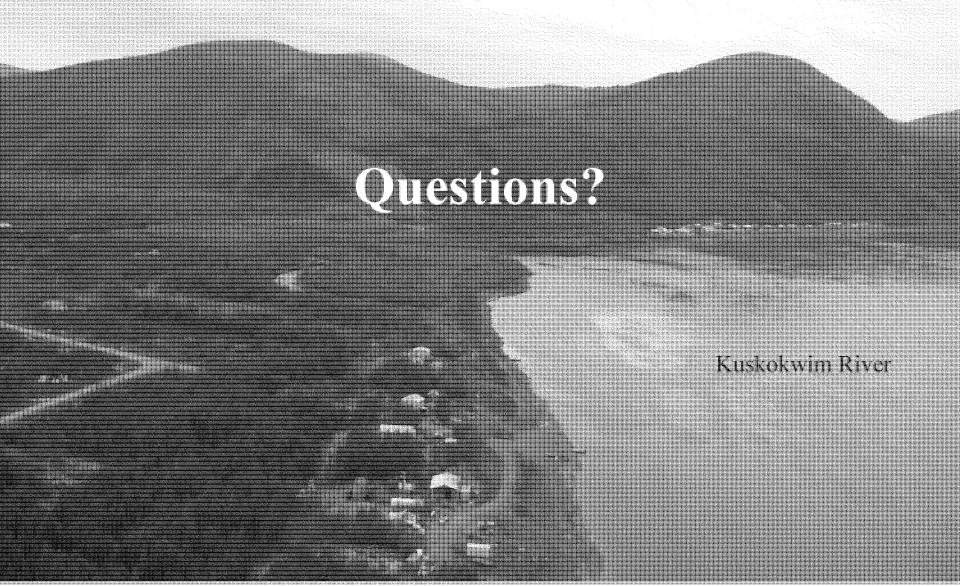
SOCIOECONOMICS

- SW Alaska is an economically depressed area
- The project would provide new jobs, income and economic activities (50 60% employment to qualified ANCSA shareholders and 78% Alaska hire), scholarships, training
- Characterization of the skills needed by Native Alaskans for working at the mine, training and apprenticeship opportunities, and estimates of the percentage of Native Alaskan hires;
- Outmigration and potential influx of new workers into Native communities
- Increase competition for subsistence resources

Recommendation:

DONLIN GOLD PROJECT

WWW.DONLINGOLDEIS.COM



To: Allnutt, David[Allnutt.David@epa.gov]

Cc: Littleton, Christine[Littleton.Christine@epa.gov]; Szerlog, Michael[Szerlog.Michael@epa.gov]

From: Jen, Mark

Sent: Fri 4/15/2016 12:48:31 AM

Subject: RE: Donlin Health Impact Assessment

Hi David,

I am not certain. I do not believe that the State has any requirements to public notice the HIA for public review and comment.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

I believe the State may be in the process to public notice the Intergrated Solid Waste

Management Plan and the Closure and Reclamation Plan for Donlin, soon. Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Mark

From: Allnutt, David

Sent: Thursday, April 14, 2016 4:37 PM **To:** Jen, Mark <Jen.Mark@epa.gov>

Cc: Littleton, Christine <Littleton.Christine@epa.gov>; Szerlog, Michael <Szerlog.Michael@epa.gov>

Subject: Re: Donlin Health Impact Assessment

Mark - do you know whether the public will have an opportunity to comment on the HIA before it's finalized?

Sent from my iPhone

On Apr 14, 2016, at 3:30 PM, Jen, Mark < Jen. Mark@epa.gov > wrote:

<image001.gif> Hi Teena

I heard back from the Corps regarding the status of the HIA.

The State Alaska Department of Health and Social Services is the primary developer of the Donlin HIA. What the State wants to do is incorporate any public comments from the Corps' DEIS process into the next iteration of the HIA before allowing the cooperating agencies the opportunity to review the document.

This probably won't happen until June, after all the comments have been logged and categorized.

Thanks

Mark S. Jen

U.S. Environmental Protection Agency, Region 10 Alaska Operations Office 222 W. Seventh Avenue #19 Anchorage, Alaska 99513-7588 (907) 271-3411 To: R10-ORA[R10-ORA@epa.gov]

Cc: Allnutt, David[Allnutt.David@epa.gov]; Parkin, Richard[Parkin.Richard@epa.gov]; Eaton,

Thomas[Eaton.Thomas@epa.gov]; Opalski, Dan[Opalski.Dan@epa.gov]; Fordham, Tami[Fordham.Tami@epa.gov]; Soderlund,

Dianne[Soderlund.Dianne@epa.gov]

From: Anderson-Carnahan, Linda
Sent: Thur 11/6/2014 8:52:39 PM
Subject: ETPA Schedules and Hot issues

David and Linda will both be in the office all next week (except for the holiday). Valsala and Jonathan should also be in the office next week.

Juneau Access Road Draft Supplemental EIS:

Non-Responsive

Non-Responsive

<u>Donlin Gold Project EIS</u>: Comments are due by December 1 on the Corps' October 30 preliminary draft Environmental Consequences section for cooperating agency review. Additional sections will be distributed on November 13 for comment by December 15. The Draft EIS for the Donlin Gold Project is expected to be released mid-July 2015. Contact: Mark Jen (1-3411)

Alaska Stand Alone Pipeline (ASAP) Supplemental EIS:

Non-Responsive

Non-Responsive

Non-Responsive

<u>EJ SCREEN</u>: The public rollout of EJ SCREEN has been pushed back to the first or second week of December due to state requests thru ECOS. Contact: Running Grass (3-2899)

To: Littleton, Christine[Littleton.Christine@epa.gov]

Cc: Allnutt, David[Allnutt.David@epa.gov]; Szerlog, Michael[Szerlog.Michael@epa.gov]

From: Jen, Mark

Sent: Thur 4/14/2016 10:30:06 PM
Subject: Donlin Health Impact Assessment



I heard back from the Corps regarding the status of the HIA.

The State Alaska Department of Health and Social Services is the primary developer of the Donlin HIA. What the State wants to do is incorporate any public comments from the Corps' DEIS process into the next iteration of the HIA before allowing the cooperating agencies the opportunity to review the document.

This probably won't happen until June, after all the comments have been logged and categorized.

Thanks

Mark S. Jen

U.S. Environmental Protection Agency, Region 10 Alaska Operations Office 222 W. Seventh Avenue #19 Anchorage, Alaska 99513-7588 (907) 271-3411 Message

From: LaCroix, Matthew [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2903525A555B448C8D0111B8817DC9AD-LACROIX, MATTHEW]

Sent: 4/29/2016 10:21:43 PM

To: Soderlund, Dianne [/o=ExchangeLabs/ou=Exchange Administrative Group

(FYDIBOHF23SPDLT)/cn=Recipients/cn=6750197db42e4b5a8318dc9f1a98859e-Soderlund, Dianne]; Jen, Mark

[/o=ExchangeLabs/ou=Exchange Administrative Group

(FYDIBOHF23SPDLT)/cn=Recipients/cn=b06b44d7c5c44b71b448616651c0b439-Jen, Mark]; Littleton, Christine

[/o=ExchangeLabs/ou=Exchange Administrative Group

(FYDIBOHF23SPDLT)/cn=Recipients/cn=2d5631654c3840f48f71c2457d8fb2ac-Reichgott, Teena]; Szerlog, Michael

[/o=ExchangeLabs/ou=Exchange Administrative Group

(FYDIBOHF23SPDLT)/cn=Recipients/cn=23a7f634594b4b58ba4a96e77c1b1aaf-Szerlog, Michael]; Curtis, Jennifer

[/o=ExchangeLabs/ou=Exchange Administrative Group

(FYDIBOHF23SPDLT)/cn=Recipients/cn=79a6f9c1ad88499cadff270bae96ec45-Curtis, Jennifer]

CC: Allnutt, David [/o=ExchangeLabs/ou=Exchange Administrative Group

(FYDIBOHF23SPDLT)/cn=Recipients/cn=6e28f5bf9cbf4b8b9eda7751c2f10750-Allnutt, David]; Godsey, Cindi

I/o=ExchangeLabs/ou=Exchange Administrative Group

(FYDIBOHF23SPDLT)/cn=Recipients/cn=fb40ab40042b4a12a54b2d722885a480-Godsey, Cindí]

Subject: RE: Donlin Gold EIS: Corps' request for cooperating agency meetings to reevaluate EIS analysis processes

All,

Good afternoon. It seems as if these meetings are proceeding regardless of staff availability or the appropriateness of the timing. My initial reaction to seeing this email chain earlier this morning was the same as Mark's. The District just extended the comment period for the Donlin DEIS and 404 PN.

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Thanks,

Matthew LaCroix Aquatic Resources Unit Office of Ecosystems, Tribal & Public Affairs Alaska Operations Office (907) 271-1480

From: Soderlund, Dianne

Sent: Friday, April 29, 2016 11:31 AM

To: Jen, Mark <Jen.Mark@epa.gov>; Littleton, Christine <Littleton.Christine@epa.gov>; Szerlog, Michael

<Szerlog.Michael@epa.gov>; Curtis, Jennifer <Curtis.Jennifer@epa.gov>

Cc: Allnutt, David <Allnutt.David@epa.gov>; Godsey, Cindi <Godsey.Cindi@epa.gov>; LaCroix, Matthew

<LaCroix.Matthew@epa.gov>

Subject: RE: Donlin Gold EIS: Corps' request for cooperating agency meetings to reevaluate EIS analysis processes

I just talked with Jennifer and she is available next Thursday, May 5 from 9 to noon and will call Mark to get a few more details. D

Dianne Soderlund, Director EPA Region 10 Alaska Operations Office (907) 271-3425 soderlund.dianne@epa.gov

From: Soderlund, Dianne

Sent: Friday, April 29, 2016 10:44 AM

To: Jen, Mark < Jen. Mark@epa.gov>; Littleton, Christine < Littleton. Christine@epa.gov>; Szerlog, Michael

<<u>Szerlog Michael@epa.gov</u>>; Curtis, Jennifer <<u>Curtis Jennifer@epa.gov</u>>

Cc: Allnutt, David < Allnutt. David @epa.gov>; Godsey, Cindi < Godsey, Cindi @epa.gov>; LaCroix, Matthew

<LaCroix.Matthew@epa.gov>

Subject: RE: Donlin Gold EIS: Corps' request for cooperating agency meetings to reevaluate EIS analysis processes

Hi Mark.

Thanks for this update. About an hour ago I saw the original message with 4 options for times, so this has moved quickly to a decision for a Thursday meeting. Michael and I also had a brief conversation on this ask from the COE this am, and I have called Jennifer Curtis to see if she can participate on the NEPA side. We knew you were on leave next week, and I believe Michael is going to try to participate but this is up in the air right now. I don't know that we will have a plan until early next week, but I believe our goal is to have NEPA/404 participation in these meetings and continuity to the degree we can, recognizing that you will not be available initially. I am sure there will be more to come. D

Dianne Soderlund, Director EPA Region 10 Alaska Operations Office (907) 271-3425 soderlund.dianne@epa.gov

From: Jen, Mark

Sent: Friday, April 29, 2016 9:38 AM

To: Littleton, Christine < Littleton. Christine@epa.gov >; Szerlog, Michael < Szerlog. Michael@epa.gov >

 $\textbf{Cc: Soderlund, Dianne} < \underline{Soderlund.Dianne@epa.gov}; \textbf{Allnutt, David} < \underline{Allnutt.David@epa.gov}; \textbf{Godsey, Cindiante} \\ \\ \textbf{Constant Constant Constan$

<<u>Godsey.Cindi@epa.gov</u>>; LaCroix, Matthew <<u>LaCroix.Matthew@epa.gov</u>>

Subject: Donlin Gold EIS: Corps' request for cooperating agency meetings to reevaluate EIS analysis processes

Greetings Teena and Michael

The Corps is requesting a meeting with the cooperating agencies on the Donlin Gold Project DEIS for the next few weeks in May to discuss changes to the analytical approach and process for the EIS. I indicated to the Corps PM that the Public comment period is still open for another 30 days, and we should wait to see what the public comments have to say before considering any changes. Apparently, his supervisor is driving this process.

These upcoming meetings were a response to a meeting BLM and USFWS had with the Corps regarding their concerns that the DEIS is insufficient to meet their permitting and ROD requirements. Their concerns also have to do with the inconsistencies between the DEIS and the ANILCA Section 810 analysis. BLM and USFWS has also asked that a supplemental DEIS be issued before the FEIS, but not certain the Corps would consider issuing a supplemental DEIS.

So, the Corps is scheduling these meetings in May to start looking at fixes to the Alternatives Analysis, Environmental Impacts Analysis and summary ratings, as the ratings tended to "dumb down" the actual impacts. We have similar concerns with the analysis that are discussed in the draft NEPA 309 comments.

The first meeting is Thursday, May 5 from 9 - noon.

Unfortunately, I presumed that our comments would be finalized by today, so I have Ex. 6 May 4 to 13, and would have to miss the first two meetings.

I will ask Cindi Godsey to call in during my absence. If she is not available, I will ask Matt LaCroix.

Thanks

Mark S. Jen

U.S. Environmental Protection Agency, Region 10 Alaska Operations Office 222 W. Seventh Avenue #19 Anchorage, Alaska 99513-7588 (907) 271-3411 To: Littleton, Christine[Littleton.Christine@epa.gov]; Hessert, Aimee[Hessert.Aimee@epa.gov]

Cc: Owens, Kim[Owens.Kim@epa.gov]; Allnutt, David[Allnutt.David@epa.gov]

From: Jen, Mark

Sent: Tue 5/24/2016 9:00:51 PM

Subject: RE: Urgent: Donlin briefing materials and letter

Donlin Gold Briefing OFA May 25 2016.pdf

Please use this version for the briefing tomorrow.

Thanks

Mark

----Original Message-----From: Littleton, Christine

Sent: Tuesday, May 24, 2016 12:49 PM

To: Hessert, Aimee < Hessert. Aimee @epa.gov>

Cc: Jen, Mark <Jen.Mark@epa.gov>; Owens, Kim <Owens.Kim@epa.gov>; Allnutt, David

<Allnutt.David@epa.gov>

Subject: RE: Urgent: Donlin briefing materials and letter

Because the briefing materials are pdf, I am not able to excerpt specific slides.

My recommendation is to print the following pages:

1, 3, 4, 5, 6, 14, 16, 18, 21, 26, 31, 33, and 35.

That gives a general sense of the project and issues.

Deliberative Process / Ex. 5

Teena Littleton

(formerly Reichgott)

Manager, Environmental Review and Sediment Management Unit Office of Environmental Review and Assessment EPA Region 10 OERA-202-3

1200 Sixth Avenue, Suite 900

Seattle, WA 98101-3140

206-553-1601

littleton.christine@epa.gov

----Original Message-----From: Littleton, Christine

Sent: Tuesday, May 24, 2016 1:20 PM

To: Hessert, Aimee < Hessert. Aimee@epa.gov>

Cc: Jen, Mark <Jen.Mark@epa.gov>; Owens, Kim <Owens.Kim@epa.gov>; Allnutt, David

<Allnutt.David@epa.gov>

Subject: RE: Urgent: Donlin briefing materials and letter

I have a revised cover letter and the previous detailed comments ready at this point - we're still working on revising the detailed comments. A few ppt slides will follow - aiming for your 1:45 deadline.

Teena Littleton

(formerly Reichgott)

Manager, Environmental Review and Sediment Management Unit Office of Environmental Review and Assessment EPA Region 10 OERA-202-3

1200 Sixth Avenue, Suite 900

Seattle, WA 98101-3140

206-553-1601 littleton.christine@epa.gov

-----Original Message-----From: Hessert, Aimee

Sent: Tuesday, May 24, 2016 1:14 PM

To: Littleton, Christine <Littleton.Christine@epa.gov> Subject: Urgent: Donlin briefing materials and letter

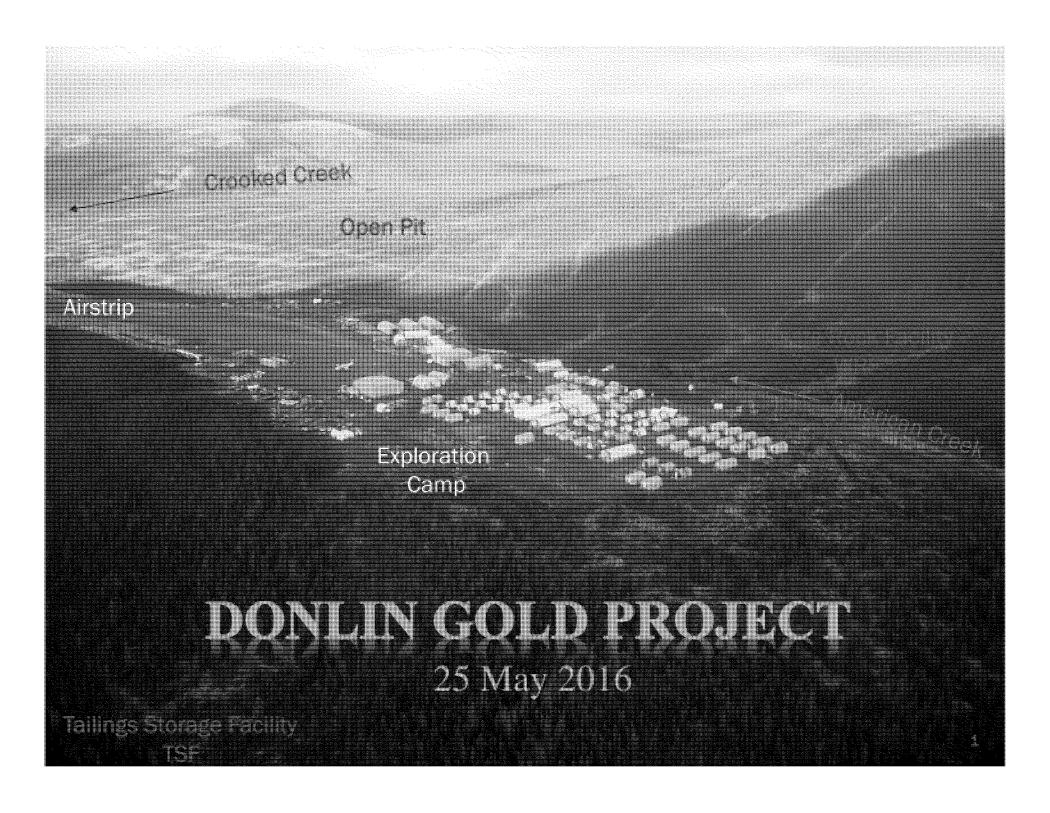
Teena,

I left you a voicemail and wanted to follow-up by email. In order for Cynthia to be able to review materials for tomorrow, we will need the briefing materials no later than 4:45 EST so her secretary can prepare the package for her tonight.

We really need to see the letter you want us to send forward by 430 EST, so we can incorporate our comments.

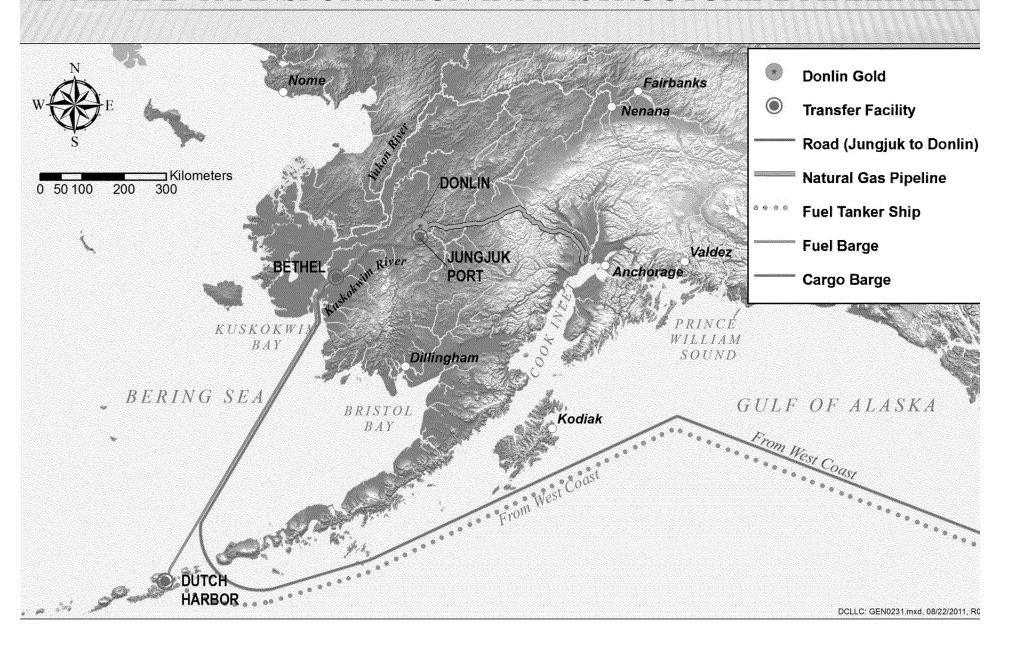
Thanks, Aimee

Sent from my iPhone



DONLIN'S PROPOSED PROJECT

■ MINE ■ TRANSPORTATION INFRASTRUCTURE ■ PIPELINE ■



STAKEHOLDERS

DONLIN GOLD LLC

- Barrick Gold US, Inc
- NovaGold Resources, Inc

LANDOWNERS

Mine Site (ANCSA)

- Calista Corp. (subsurface)
- Kuskokwim Corp. (surface)

Transportation Infrastructure

Calista, Kuskokwim, State,
 City of Bethel

Natural Gas Pipeline Right-of-Way

- State of Alaska (66%)
- Federal BLM (31%)
- Calista Corp. & Cook Inlet (CIRI)

RESIDENTS (Y-K Region)

Alaska Tribes (66)

EIS DEVELOPMENT

Corps of Engineers – Lead

Cooperating Agencies

- EPA, BLM, PHMSA, USFWS
- State ADNR, ADEC, ADFG
- Tribal Governments (6)

Akiak

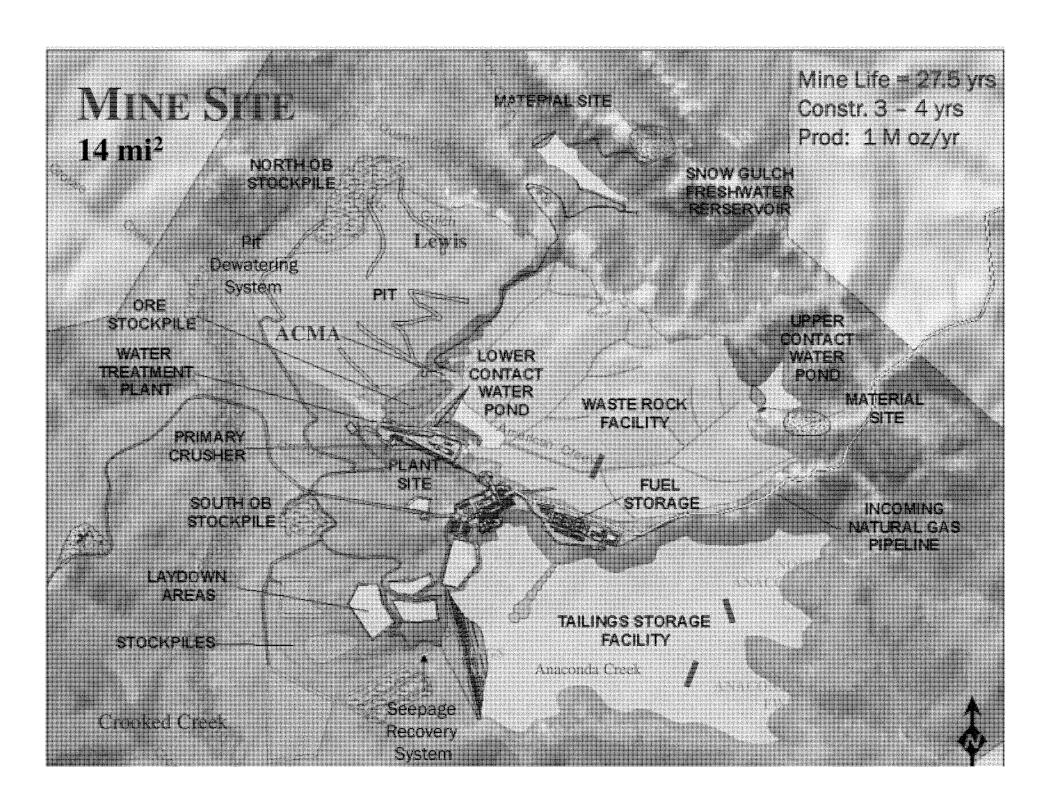
Amiak

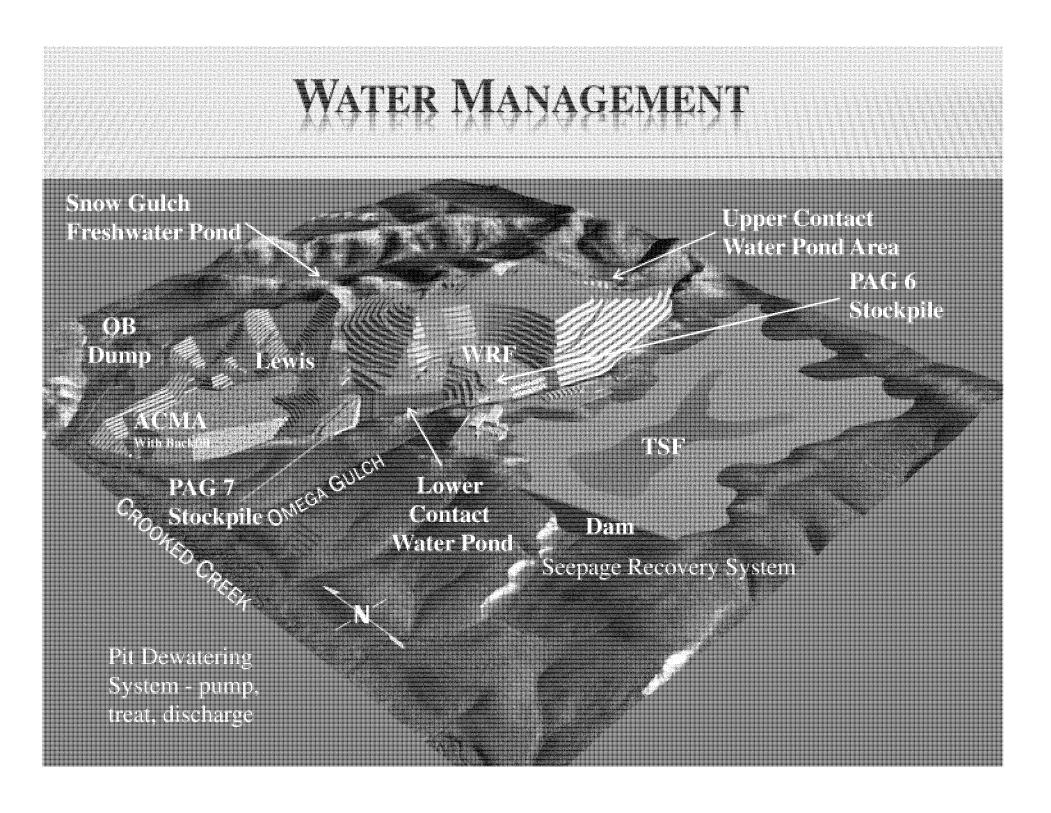
Chuathbaluk

Crooked Creek

Knik

Napaimute





RECLAMATION & CLOSURE 60-Years Post-Closure Reclaimed WRF (American Creek) Reclaimed TSF (Anaconda Creek) Crevice Creel Seepage Recovery System

TRANSPORTATION INFRASTRUCTURE

Facilities

Jungjuk Port & staging area (26 ac)

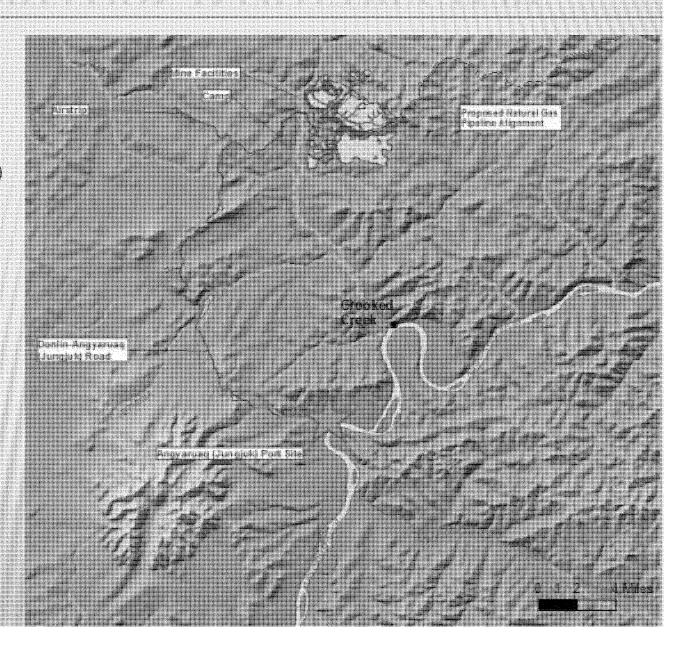
- 110-day season
 (122 round trip barges/yr)
- 30-mi gravel road
- 5,000-ft airstrip
- 40 mil gal diesel fuel storage

Fugitive Dust

- Characterize gravel source material sites
- Cap road surface

Chemical Spills

 Response Planning with local communities
 diesel, CN, Hg



ALTERNATIVES

Draft Environmental Impact Statement

- 1. No Action
- 2. Donlin Gold's Proposed Action
- 3. Reduced Diesel Barging
 - 3A LNG Facility/Powered Haul Trucks (32%)
 - 3B Diesel Pipeline (48%)
- 4. Reduced Barging Distance

Birch Tree Crossing Port (38%)

- 5. Mine Site
 - 5A Dry Stack Tailings/Two Options
- 6. Modified Pipeline Alignment
 - 6A Dalzell Gorge Pipeline Route

Environmentally Preferrable Alternative

Recommendation

WETLANDS & CWA §404

- Project Impacts:
 - Direct: 9,758 ac WUS; 56 linear mi streams
 - Indirect: >5,000 ac (pit dewatering, fugitive dust)
- Corps PN at DEIS stage insufficient information
- PJD Corps not approve, inaccurate being revised
- Functional Assessment rejected by Corps being revised
- CWA §404(b)(1) guidelines LEDPA, sig. degradation
- Compensatory Mitigation Plan
- 404 program preparing 3(a) letter
- ARNI Kuskokwim River and tributaries
- Waste Treatment Facility issue (404/402)
- Recommendation:

FINANCIAL ASSURANCE

- Region 10 Mining Strategy
 - Disclose FA cost estimates in the DEIS (Appendix A)
- Mine/Transportation
 - Reclamation & Closure = \$259 M
 - Long-Term Post Closure Costs = \$73 M (Trust Fund)
- Pipeline
 - Removal, Abandonment, Reclamation = \$10 M
- Total: \$342 M
- State of Alaska & BLM
 - Manage/Implement FA Instrument
 - Letter of Credit and/or Surety Bond

FINANCIAL ASSURANCE

Alaska Mines

Operation	F.A. Mechanism	Total Bond (\$ Millions)
Greens Creek Mine *	Surety Bond USFS	\$30.5 Currently being updated
Red Dog Mine *	Letter of Credit	\$305.2
Fort Knox Mine *	Letter of Credit	\$65.8 Currently being updated
True North Mine	Letter of Credit	\$3.1
Kensington Project *	Surety Bond USFS	\$28.7
Rock Creek Mine *	Letter of Credit	\$13.5
Pogo Mine and Road	Letter of Credit	\$57.1
Nixon Fork Mine	Surety Bond BLM	\$6.0
Niblack Project	Letter of Credit	\$1.2

Source: Presentation by SOA: Alaska Mine Permitting Process Financial Assurance (January 29, 2014)

* Active Mines.

PRE-MATURE MINE CLOSURE

Recommendation

Deliberative Process / Ex. 5

SPILL RISK SCENARIOS

- Ten Spill Risk Scenarios
 Recommendation Deliberative Process / Ex. 5
- Low Probability / High Consequence Events
 Recommendation Deliberative Process / Ex. 5
- Tailings Storage Facility & Dam (528 M gal)
 - release of tailings & contaminated water
 - 1. Partial breach TSF dam & downslope failure
 - 2. Liner rupture sinkhole & outflow of tailings
- Failure Mode Effects Analysis (FMEA) –
 Recommendation Deliberative Process / Ex. 5

HUMAN HEALTH

Health Impact Assessment (HIA)

Recommendation:

Deliberative Process / Ex. 5

 Elevated levels of Hg and As – Cumulative Effects exposure pathways, bioaccumulation-subsistence food

Recommendation: Deliberative Process / Ex. 5

Fish Consumption Advisories

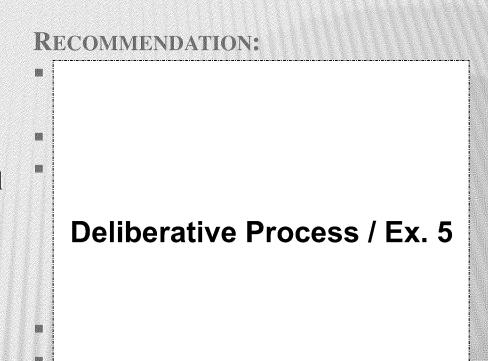
Recommendation: Deliberative Process / Ex. 5

Hg Biological Monitoring

Recommendation:

SUBSISTENCE

- Maintain traditional way of life
- Impacts to subsistence resources fish, moose, waterfowl, and plants
- Restrictions on access to traditional resources and use areas
- Less resources & more competition
- Shift in resource use King Salmon closures
- Contamination of subsistence resources
- Hg concentration in fish tissues could be up to 3% greater than current levels



KUSKOKWIM RIVER

Elevated Hg and As levels

Recommendation: Deliberative Process / Ex. 5

- **Increase Barge Traffic & Barge Grounding**
 - Shoreline Erosion (0.01 to 0.21 acres/mile/year)
 - Barge wakes, bed scour, sedimentation, and turbidity
 - Conflicts subsistence/commercial fishing

Recommendation:

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Maintenance Dredging @ Jungjuk Port

Recommendation: Deliberative Process / Ex. 5

CHEMICALS OF CONCERN

Mercury, Arsenic, ARD/ML

- Mid-Kuskokwim River/Crooked Creek "AK Mercury Belt"
- Naturally occurring elevated concentrations in water, soils, sediments, fish tissues;
- Sources of emissions: fugitive dust, facilities, stack emissions
- Methyl Mercury bioavailable, biomagnify in food chain

RECOMMENDATION:

Deliberative Process / Ex. 5

FUGITIVE DUST EMISSIONS

Recommendation

Deliberative Process / Ex. 5

CLIMATE CHANGE & GHG EMISSIONS

Recommendation

Deliberative Process / Ex. 5

SOCIOECONOMICS

- SW Alaska is an economically depressed area
- The project would provide new jobs, income and economic activities (50 60% employment to qualified ANCSA shareholders and 78% Alaska hire), scholarships, training
- Characterization of the skills needed by Native Alaskans for working at the mine, training and apprenticeship opportunities, and estimates of the percentage of Native Alaskan hires;
- Outmigration and potential influx of new workers into Native communities
- Increase competition for subsistence resources

Recommendation:



Ramaekers, Jennifer[Ramaekers.Jennifer@epa.gov] To:

Szerlog, Michael[Szerlog, Michael@epa.gov]; Reichgott, Christine[Reichgott, Christine@epa.gov]; Shaw, Cc: Hanh[Shaw.Hanh@epa.gov]; Marcy, Ken[Marcy.Ken@epa.gov]; Fordham, Tami[Fordham.Tami@epa.gov]; Soderlund,

Dianne[Soderlund.Dianne@epa.gov]; Allnutt, David[Allnutt.David@epa.gov]

From: Jen, Mark

Wed 11/5/2014 7:38:13 PM Sent:

Subject: RE: Reminder: Please send your HOT TOPICS to me by noon today

Hi Jennifer,

Here are my hot topics for this week. Let me know if you have any questions.

Donlin Gold Project EIS

The Corps, as the lead agency, has released the preliminary draft Environmental Consequences section for cooperating agency review. Review comments for sections distributed on October 30 are due to the Corps no later than December 1. Additional sections will be distributed on November 13. These review comments will be due no later than December 15. A number of EPA staff from different programs and offices across Region 10 will be conducting this review. The Draft EIS for the Donlin Gold Project is expected to be released mid-July 2015. (Staff Contact: Mark Jen 1-3411).

Alaska Stand Alone Pipeline Supplemental EIS

not responsive

From: Ramaekers, Jennifer

Sent: Wednesday, November 05, 2014 7:39 AM

To: R10-AOO Mail Group

Subject: Reminder: Please send your HOT TOPICS to me by noon today

Importance: High

Thanks!

Jennifer Ramaekers | Secretary U.S. EPA, Region 10-Alaska Operations Office 222 W. 7th Ave., #19, Rm. 537

Anchorage, AK 99513

Phone: (907) 271-5083 | Fax: (907) 271-3424

To: Albright, Rick[Albright.Rick@epa.gov]; Cohen, Lori[Cohen.Lori@epa.gov]; Soderlund, Dianne[Soderlund.Dianne@epa.gov]; Fordham, Tami[Fordham.Tami@epa.gov]; Allnutt, David[Allnutt.David@epa.gov]; Opalski, Dan[Opalski.Dan@epa.gov]; Kelly,

Kate[kelly.kate@epa.gov] **From:** Magorrian, Matthew

Sent: Mon 1/12/2015 11:50:57 PM

Subject: FW: EPA Issues Discussion - 1-12-15

EPA Issues Discussion - 1-12-15.docx

Matt

From: Dunbar, Bill

Sent: Friday, January 09, 2015 1:56 PM

To: Magorrian, Matthew

Subject: EPA Issues Discussion - 1-12-15

State of Alaska & EPA Issues Discussion January 12, 2015/3:30 PM AST

PARTICIPANTS

- Governor Bill Walker
- Lieutenant Governor Byron Mallott
- Jim Whitaker, Chief of Staff to Governor Walker
- Larry Hartig, DEC Commissioner
- Marty Rutherford, DNR Commissioner
- EPA Regional Administrator Dennis McLerran
- Lori Cohen, Deputy Director of Region 10's Office of Environmental Cleanup
- David Allnutt, Director of Region 10's Office of Ecosystems, Tribal and Public Affairs
- Kate Kelly, Director of Region 10's Office of Air, Waste and Toxics
- Dan Opalski, Director of Region 10's Office of Water and Watersheds
- Tami Fordham, Deputy Director of Region 10's Alaska Operations Office
- Bill Dunbar, Policy Advisor, EPA Region 10

AGENDA

1.	Introductions/All	3:30-3:40 (10)
2.	Overview of EPA work with Alaska/Dennis McLerran	3:40-3:42 (2)
3.	Juneau Access Road/Dennis /David Allnutt	3:42-3:47 (5)
4.	Mining/Dennis/David Allnutt/Dan Opalski/Lori Cohen	3:47-3:57 (10)
	a. Legacy mines – Red Devil	
	b. Placer mining permit	
	c. NEPA – Donlin, Chuitna	
	d. Transboundary mines – KSM, etc	
	e. Red Dog Preliminary Assessment	
	f. Pebble status	
5.	Oil and gas exploration & extraction/Dennis/David Allnutt	3:57-4:07 (10)
	a. Coordination with Interior, ACOE, Alaska, eg GMT-1	
	b. Arctic Geotechnical Permit	
	c. Spill response	
6.	6. Fairbanks air quality/Dennis/Kate Kelly 4:07-	
7.	7. Wrap-up/Next steps 4	

To: LaCroix, Matthew[LaCroix.Matthew@epa.gov]; Szerlog, Michael[Szerlog.Michael@epa.gov]; Thiesing,

Mary[Thiesing.Mary@epa.gov]

Cc: Allnutt, David[Allnutt.David@epa.gov]; Owens, Kim[Owens.Kim@epa.gov]; Littleton,

Christine[Littleton.Christine@epa.gov]; Allnutt, David[Allnutt.David@epa.gov]

From: Jen, Mark

Sent: Wed 4/27/2016 11:12:56 PM

Subject: Corps Public Notice: Extension of the Public Comment Period for the Donlin Gold Project - May 31

POA-1995-120, Crooked Creek, PN Extension.pdf

FYI



ANCHORAGE Regulatory Division (1145) CEPOA-RD Post Office Box 6898 JBER, Alaska 99506-0898

Public Notice of Application for Permit

PUBLIC NOTICE DATE:

April 26, 2016

EXPIRATION DATE:

May 31, 2016

REFERENCE NUMBER:

POA-1995-120

WATERWAY:

Crooked Creek

PUBLIC NOTICE - COMMENT PERIOD EXTENSION

On November 25, 2015, the Alaska District U.S. Army Corps of Engineers (Corps) published a Public Notice for a DA permit application from Donlin Gold, LLC, for work in waters of the United States. This notice featured a 157-day comment period, ending April 30, 2016. The Corps hereby extends the public comment period to May 31, 2016.

Comments regarding the application, with the reference number, should reach this office no later than the expiration date of this Public Notice (May 31, 2016) to become part of the record and be considered in the decision. Please contact Keith Gordon at (907) 753-5710, toll free from within Alaska at (800) 478-2712, by fax at (907) 753-5567, or by email at POA.donlingoldeis@usace.army.mil if further information is desired concerning this notice.

The public notice, published on November 25, 2015, is available under POA-1995-120, Crooked Creek at http://www.poa.usace.army.mil/Missions/Regulatory/PublicNotices.

District Engineer U.S. Army, Corps of Engineers To: Szerlog, Michael[Szerlog.Michael@epa.gov]

Cc: Marcy, Ken[Marcy.Ken@epa.gov]; Reichgott, Christine[Reichgott.Christine@epa.gov];

Soderlund, Dianne[Soderlund.Dianne@epa.gov]; Allnutt, David[Allnutt.David@epa.gov]

From: Jen, Mark

Sent: Tue 1/6/2015 6:22:33 PM

Subject: FW: FYI USACE will be providing a formal written response to the substantial NEPA

inaccuracies in the attached article. (UNCLASSIFIED)

mine eis article.pdf

Hi Michael

I am providing you with a newsletter from the Center for Science in Public Participation (CSP2 Fall 2014) regarding the Donlin Gold Mine Project EIS. The Corps is planning to send a letter in response to the information provided in the newsletter.

Deliberative Process / Ex. 5

Mark

----Original Message-----

From: Gordon, Keith POA [mailto:Keith.Q.Gordon@usace.army.mil]

Sent: Monday, January 05, 2015 5:44 PM

To: Jennifer Spegon; Sparks, Tom; Jen, Mark; Chris.hoidal@dot.gov; Bruno, Jeff J (DNR)

Subject: FYI USACE will be providing a formal written response to the substantial NEPA inaccuracies in

the attached article. (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

All,

I will cc all of you on the letter. As well as the remaining non-federal/state CA's.

Classification: UNCLASSIFIED

Caveats: NONE

The

LOGBOOK "CSP"

The CENTER for SCIENCE in PUBLIC PARTICIPATION

"Technical Support for Grassroots Public Interest Groups"

PROPOSED DONLIN GOLD MINE, ALASKA

THE DONLIN MINE

Donlin is a proposed gold mine near the banks of the Kuskokwim River, one of the largest and most important subsistence rivers in Alaska. The land is owned by Alaska Nati ve corporati ons.

If approved, it will be the biggest mine in Alaska, mining 59,000 tons per day.

Arsenic, selenium, anti mony, and mercury are ti ed up in the ore and represent environmental risks.

Donlin will be the first Alaskan mine to process the ore in a manner that releases gaseous mercury. Mercury will need to be captured, stored, and eventually moved out of this remote area. There are no roads — even the fuel to power the mine site will come as LNG through a 300-mile long pipeline from Cook Inlet.

These challenges, and the proximity of the mine to the Kuskokwim River, highlight the value of bringing tribal and independent technical voices into the EIS

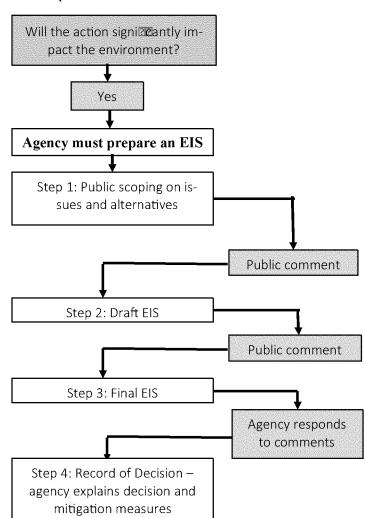
The Proposed Donlin Gold Mine

by Kendra Zamzow

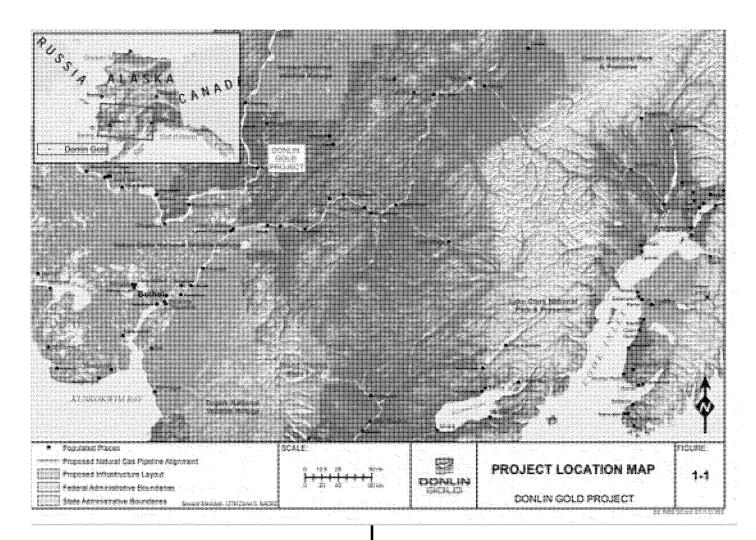
At CSP2, part of our work is to provide technical analysis of potential environmental risks from proposed mines and reviews of Environmental Impact Statements (EIS) on behalf of communities and tribes.

The EIS process

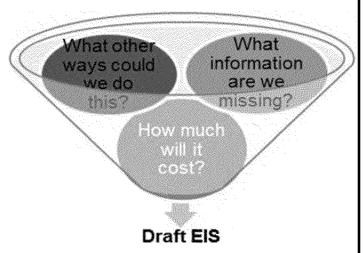
The EIS process allows for public comment, usually for 30-60 days at two points: before and after the draft EIS is produced.



Developing an EIS often takes several years, during which time the public is not part of the process, does not see data, and cannot contribute to the discussion.



Instead, the draft EIS development discussions are held by the State of Alaska Large Mine Permitting team, a group of federal and state agency representatives and the mining proponent and their consultants, wrestling with questions like:



During these discussions, the people who live in and use the area, and who will see their lives changed as an industrial complex moves in, are not engaged.

Inclusion of tribal voices

With the Donlin Gold project, tribes have a unique opportunity to engage in the actual development of the draft EIS. They can identify and provide grounds for alternative actions, show where new information needs to be gathered to determine potential impacts, and review documents with the mining company, state, and federal agencies.

The EIS process for Donlin began in October 2012, at which point the lead agency, the US Army Corps of Engineers (ACOE) sent a letter to 66 potentially-affected federally-recognized tribes to invite them to be cooperating agencies in the process.

The Kuskokwim River is dotted with small villages. The "hub" village of Bethel is 145 miles downstream from Donlin. The villages closest to the mine include Crooked Creek, Georgetown, Red Devil, Sleetmute, Chuathbaluk, Upper and Lower Kalskag, and Napamaiute.

Precedent-setting cooperation

Six villages signed on as cooperators. Having a group of villages as cooperating agencies is unprece-

CENTER for SCIENCE in PUBLIC PARTICIPATION

224 North Church Avenue Bozeman, Montana 59715-3706

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The Center for Science in Public Participation is a 501(c)(3) non-profit corporation

Volume 18, Number 1, Fall 2014

CSP* Board of Directors

Don Bachman, Bozeman, MT Anna Cederstav, Oakland, CA Mike Clark, Bozeman, MT Steve D'Esposito, Washington, DC Glenn Miller, Reno, NV Alan Young, Victoria, BC

dented in Alaska. One of the villages, Chuathbaluk, asked CSP2 to be their technical consultant to work with them through the pre-Draft EIS process.

CSP2 has reviewed highly technical documents on hydrogeology, geochemistry, and mine waste management related to the mine project. This has left Chuathbaluk free to focus primarily on issues related to river impacts.

Chuathbaluk has been actively engaged in the process, by identifying resources important to them, and alerting CSP2 to potential problems they would like investigated and addressed. All CSP2's analyses are sent to the tribe for approval, and then submitted to the EIS team by the tribe.

The future of EIS engagement

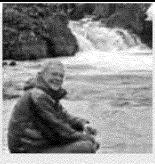
This is a new and important way for tribes to engage in natural resource decisions. Combining local voices with technical expertise early on in the development of the draft EIS opens up the potential for tribes to engage in meaningful discussions that could shape a project. This approach is applicable for all large-scale projects, not just mining projects.

This new level of engagement, while encouraging, is still a difficult and long process. The EIS process is geared to move a project into permitting. Tribes can engage in the EIS process without giving up their right to oppose or support the mine. The balancing act comes as they set aside their position on a project, and work within the process to develop Alternatives and Mitigation options that will make for a better mining project.

CSP2/CSP2/CSP2/CSP2/CSP2/CSP2

FROM THE EXECUTIVE DIRECTOR

If you haven't heard, the EPA recently announced its intent to issue a 404(c) determination that would effectively prohibit the proposed Pebble mine in Bristol Bay, Alaska. CSP2 has been providing technical support to groups that oppose the Pebble mine, including commercial fishermen, sports



Dave Chambers is the Executive Director of **CSIP**²

fishermen, and subsistence users, since 2007.

Despite what some claim, no one is unbiased, especially on a project like this. It is CSP2's policy to provide <u>objective</u> analysis and information. Sometimes this means telling a client what they don't want to hear. In the case of Pebble, the project proponents have called CSP2 "anti-mine" and "biased" on numerous occasions. My response has always been that CSP2 provides objective, not biased, analysis – even if the project proponents don't like it. I have also noted that after working on an issue for 7 years, if I have not reached a conclusion about the relative merits of a project after this amount of time, then I couldn't really call myself a professional.

The EPA determination may spell the end of Pebble, but it still does not protect Bristol Bay fisheries from similar mines, and the State of Alaska is aggressively promoting large scale mining for that area. The "pro-fisheries" groups that oppose the Pebble mine know that they have more work to do to protect fisheries resources in Bristol Bay.

Another interesting recent happening was the failure of the tailings dam at Mt Polley, BC. I have written and spoken extensively for the past several years on what I see as the underestimation for tailings dam failures. The universal response from the mining industry, its consultants, and the regulatory agencies is that a tailings dam failure is not realistic when a reputable engineering company designs a dam which is maintained by a responsible mining company. Well, this is what happened at Mt Polley. In fact, the same company that designed the Mt Polley dam also did a similar dam design for Pebble. Enough said.

CSP*/CSP*/CSP*/CSP*/CSP*/CSP*



THANKS to the Following Donors for Their Support!!!

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We would like to publish our donors names in The Logbook. If you do **not** want your name published, please let us know when you send in your donation. Thanks

Mail to: CENTER for SCIENCE in PUBLIC PARTICIPATION 224 North Church Avenue Bozeman, MT 59715-3706

Thank you for your support. Your contribution is tax deductible.

Smith, Marla J.[Smith.MarlaJ@epa.gov] To:

Marcy, Ken[Marcy, Ken@epa.gov]; Littleton, Christine[Littleton.Christine@epa.gov]; Szerlog, Cc:

Michael[Szerlog.Michael@epa.gov]; Fordham, Tami[Fordham.Tami@epa.gov]; Soderlund, Dianne[Soderlund.Dianne@epa.gov];

Allnutt, David[Allnutt.David@epa.gov]

Jen, Mark From:

Wed 2/3/2016 10:48:17 PM Sent:

Subject: Hot Topics



Hi Marla,

Here is my hot topic for this week.

Donlin Gold Project Draft EIS. This week, EPA participated in the Donlin Gold Project DEIS public meetings in the native communities of Bethel and Akiak along the Kuskokwim River in Southwest Alaska. The scheduled meeting in Nunapitchuk was cancelled due to weather. The U.S. Army Corps of Engineers convened these meetings. In Bethel, approximately 75 people attended. Over 80 people attended the meeting in Akiak with a large number of tribal leaders providing comments, which included concerns regarding earthquakes and lightning strikes on the tailings storage facility dam. One comment supported Alternative 3B - The Diesel Pipeline, which would reduce the number of diesel fuel barges navigating the Kuskokwim River, minimize barge impacts to subsistence resources and spill risks, and provide an opportunity for fuel to be transported to the communities in the region. Participants in Bethel requested an extension of the public comment period to allow for additional time to review the DEIS. Comments also included a request for an independent third party review of the Donlin Gold Project DEIS. Recent spills at the Mount Polley and the Gold King Mines highlighted public concerns regarding potential contamination of the Kuskokwim River due to accidental spills of the Donlin Mine tailings storage facility. (Staff Contact: Mark Jen 1-3411).

Mark S. Jen

U.S. Environmental Protection Agency, Region 10 Alaska Operations Office 222 W. Seventh Avenue #19 Anchorage, Alaska 99513-7588 (907) 271-3411

To: Allnutt, David[Allnutt.David@epa.gov]

Cc: Reichgott, Christine[Reichgott.Christine@epa.gov]

From: Jen, Mark

Sent: Wed 4/29/2015 10:45:05 PM

Subject: FW: Arranging for Donlin/Stan Foo Pre-Brief NEW RA or DRA Meeting Request Form - Donlin.docx

Hi David

In preparation for the RA's meeting with Stan Foo, GM for Donlin Gold LLC, we would like to brief Dennis on the Donlin Gold Project and the status of the EIS development.

Thanks

Mark

From: Reichgott, Christine

Sent: Wednesday, April 29, 2015 10:13 AM

To: Jen, Mark Cc: Allnutt, David

Subject: Arranging for Donlin/Stan Foo Pre-Brief

Hi Mark,

The form to request an RA briefing is attached. Once completed, please send to David and cc me.

Additional information regarding meeting preparation can be found on the Regional Administrator's page through the R10 Info

Page (access through the A-Z index).

Please let us know if you hear anything more about potential dates for the meeting.

Thank you, Mark!

Teena Reichgott

Manager, Environmental Review and Sediment Management Unit Office of Ecosystems, Tribal and Public Affairs EPA Region 10 ETPA-202-3 1200 Sixth Avenue, Suite 900 Seattle, WA 98101-3140 206-553-1601

RA OR DRA MEETING REQUEST FORM

The RA and DRA Request that you complete the <u>entire</u> form below with as much detail as possible. Submit this form to your Office Director or associate Director. Once approved email it to the RA's Office at <u>R10-ORA@EPA.gov</u>

Meeting Subject(s)/Title of the Meeting or Event:

Donlin Gold Project EIS – RA briefing for upcoming meeting with Stan Foo, General Manager of Donlin Gold, LLC

Program Office POC(s):

ETPA – David Allnutt, Christine Reichgott, Mark Jen

Priority: (High, Medium, Low)

High

Purpose of the meeting (informational, decisional, prep)

Informational prep briefing on the Donlin Gold Project EIS

If the meeting will involve external participants, what will the RA/DRA's role be? (site visit, presenter/speech, listening session)

N/A

Brief background information:

The Donlin Gold Project is a proposed open pit gold mine in southwest Alaska within the middle Kuskokwim River region. The remoteness of the mine requires development of major transportation infrastructure and a natural gas pipeline. The region is home to 66 tribal villages who rely on subsistence hunting and fishing as their way of life. The land is owned by several ANCSA native corporations who has an agreement with Donlin Gold, LLC. - project proponent. The U.S. Army Corps of Engineers is the lead for the EIS and the EPA is a cooperating agency.

Location and/or suggested travel plan if offsite:

RA's office with teleconference or lync or adobe connection to AOO

When would you like to have this meeting? Please indicate if there are deadlines.

Mid-May, but should occur prior to the meeting with Donlin Gold, LLC.

How long should the meeting last? (Typically, briefings last no more than 45 minutes) 45 minutes

Required attendees:

David Allnutt, Dianne Soderlund, Teena Reichgott, Michael Szerlog, Ken Marcy, Mark Jen

Optional Attendees:

IT/AV Equipment Needed (laptop, VTC, mics, etc)

Telephone, laptop

Superfund Site Specific Charging:

To: Soderlund, Dianne[Soderlund.Dianne@epa.gov]

Cc: Allnutt, David[Allnutt.David@epa.gov]; Reichgott, Christine[Reichgott.Christine@epa.gov]; Szerlog, Michael[Szerlog.Michael@epa.gov]; Marcy, Ken[Marcy.Ken@epa.gov]; Fordham, Tami[Fordham.Tami@epa.gov]

From: Jen, Mark

Sent: Wed 4/29/2015 4:37:54 PM

Subject: RE: Donlin Gold LLC to provide briefing for Dennis McLerran in May

Hi Dianne,

Yes, there are a number of ANCSA corporations involved. For the mine site, Calista Corporation (Regional) owns the subsurface rights. The Kuskokwim Corporation (Village) owns the surface use rights. Both corporations have agreements with Donlin Gold, LLC.

For the natural gas pipeline right of way, it would traverse lands owned by regional corporations - Doyon Corporation, Calista Corporation and Cook Inlet Regional Inc. (CIRI)

Calista and CIRI have been attending the cooperating agency meetings.

Let me know if you have any other questions and/or ideas regarding the upcoming meeting.

Thanks Mark

From: Soderlund, Dianne

Sent: Wednesday, April 29, 2015 7:06 AM

To: Jen, Mark

Cc: Allnutt, David; Reichgott, Christine; Szerlog, Michael; Marcy, Ken; Fordham, Tami

Subject: Re: Donlin Gold LLC to provide briefing for Dennis McLerran in May

Mark

Thanks for the update. Do you know if there is any ANCSA corporation involvement in Donlin? This is emerging issue for EPA statewide.

Sent from my iPhone

On Apr 28, 2015, at 4:59 PM, Jen, Mark < Jen. Mark@epa.gov > wrote:

<image001.gif>
Greetings!

I wanted to let you know that Stan Foo, General Manager of Donlin Gold, LLC is planning a meeting with Dennis to brief him on the Donlin Gold Project sometime next month – date still to be determined. Time – 45 minutes?

I spoke with Nick Enos, Donlin's Project Manager regarding briefing topics. Here are the topics we have identified:

- Financial Assurance
- Wetlands Functional Assessment/Compensatory Mitigation
- Air Quality (mercury emission requirements for gold processing)
- Spill Risk Assessment (Failure Mode and Effects Analysis) in light of the Mt Polley incident.
- Cyanide, Acid Rock Drainage, Tailings management
- Water management
- Tribal and subsistence

Please let me know by next week if you have any other topics that Dennis would be interested in hearing about.

Nick also wanted to know if there is anything we need from them.

Thanks

Mark S. Jen

U.S. Environmental Protection Agency, Region 10 Alaska Operations Office 222 W. Seventh Avenue #19 Anchorage, Alaska 99513-7588 (907) 271-3411 To: Jen, Mark[Jen.Mark@epa.gov]

Cc: Littleton, Christine[Littleton.Christine@epa.gov]; Szerlog, Michael[Szerlog.Michael@epa.gov]

From: Allnutt, David

Sent: Fri 4/15/2016 12:37:14 AM

Subject: Re: Donlin Health Impact Assessment

Mark - do you know whether the public will have an opportunity to comment on the HIA before it's finalized?

Sent from my iPhone

On Apr 14, 2016, at 3:30 PM, Jen, Mark < Jen. Mark@epa.gov> wrote:

<image001.gif> Hi Teena

I heard back from the Corps regarding the status of the HIA.

The State Alaska Department of Health and Social Services is the primary developer of the Donlin HIA. What the State wants to do is incorporate any public comments from the Corps' DEIS process into the next iteration of the HIA before allowing the cooperating agencies the opportunity to review the document.

This probably won't happen until June, after all the comments have been logged and categorized.

Thanks

Mark S. Jen

U.S. Environmental Protection Agency, Region 10 Alaska Operations Office 222 W. Seventh Avenue #19 Anchorage, Alaska 99513-7588 (907) 271-3411 To: Magorrian, Matthew[Magorrian.Matthew@epa.gov]

From: Allnutt, David

Sent: Thur 4/30/2015 2:57:02 AM

Subject: Re: Arranging for Donlin/Stan Foo Pre-Brief

image001.png

Yes.

Sent from my iPhone

On Apr 29, 2015, at 4:41 PM, Magorrian, Matthew (Magorrian, Matthew@epa.gov) wrote:

Thanks – so I presume you're okay with Dennis meeting w/ Stan?

Matt

From: Allnutt, David

Sent: Wednesday, April 29, 2015 4:20 PM

To: Magorrian, Matthew

Subject: FW: Arranging for Donlin/Stan Foo Pre-Brief

Matt – please see a attached request for a pre-briefing for Dennis to be held prior to the meeting that Donlin Gold has requested to have with him.



R. David Allnutt, Director
Office of Ecosystems, Tribal and Public Affairs
U.S. EPA, Region 10
1200 Sixth Avenue, Suite 900, Mail Stop ETPA-202-1
Seattle, Washington 98101-3140
(206) 553-2581

From: Jen, Mark

Sent: Wednesday, April 29, 2015 3:45 PM

To: Allnutt, David **Cc:** Reichgott, Christine

Subject: FW: Arranging for Donlin/Stan Foo Pre-Brief

Hi David

In preparation for the RA's meeting with Stan Foo, GM for Donlin Gold LLC, we would like to brief Dennis on the Donlin Gold Project and the status of the EIS development.

Thanks

Mark

From: Reichgott, Christine

Sent: Wednesday, April 29, 2015 10:13 AM

To: Jen, Mark Cc: Allnutt, David

Subject: Arranging for Donlin/Stan Foo Pre-Brief

Hi Mark,

The form to request an RA briefing is attached. Once completed, please send to David and cc me.

Additional information regarding meeting preparation can be found on the Regional Administrator's page through the R10 Info Page (access through the A-Z index).

Please let us know if you hear anything more about potential dates for the meeting. Thank you, Mark!

Teena Reichgott

Manager, Environmental Review and Sediment Management Unit Office of Ecosystems, Tribal and Public Affairs EPA Region 10 ETPA-202-3 1200 Sixth Avenue, Suite 900 Seattle, WA 98101-3140 206-553-1601 To: Jen, Mark[Jen.Mark@epa.gov]

From: Allnutt, David

Sent: Tue 2/28/2017 12:43:35 AM

Subject: RE: Donlin Gold EIS - EPA invited review of Health Impact Assessment SOW

No need to apologize -- glad this went forward as it did.

R. David Allnutt, Director
Office of Environmental Review and Assessment
U.S. EPA, Region 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140
(206) 553-2581

----Original Message-----

From: Jen, Mark

Sent: Monday, February 27, 2017 4:42 PM To: Allnutt, David <Allnutt.David@epa.gov>

Subject: RE: Donlin Gold EIS - EPA invited review of Health Impact Assessment SOW

Hi David,

Personal Matters / Ex. 6

Deliberative Process / Ex. 5

Personal Matters / Ex. 6

Mark

----Original Message-----From: Allnutt, David

Sent: Monday, February 27, 2017 3:34 PM To: Jen, Mark < Jen. Mark@epa.gov>

Cc: Kissinger, Lon < Kissinger.Lon@epa.gov>; Eckley, Chris < Eckley.Chris@epa.gov>; Nogi, Jill

<nogi.jill@epa.gov>; Soderlund, Dianne <Soderlund.Dianne@epa.gov>

Subject: RE: Donlin Gold EIS - EPA invited review of Health Impact Assessment SOW

Mark et al.- Personal Matters / Ex. 6

Personal Matters / Ex. 6

It sounds like this is on a smooth path.

R. David Allnutt, Director
Office of Environmental Review and Assessment U.S. EPA, Region 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140
(206) 553-2581

----Original Message-----

From: Jen, Mark

Sent: Monday, February 27, 2017 3:17 PM

To: Darden, Richard L CIV USARMY CEPOA (US) <Richard.L.Darden@usace.army.mil>
Cc: Kissinger, Lon <Kissinger.Lon@epa.gov>; Eckley, Chris <Eckley.Chris@epa.gov>; Nogi, Jill
<nogi.jill@epa.gov>; Soderlund, Dianne <Soderlund.Dianne@epa.gov>; Allnutt, David
<Allnutt.David@epa.gov>; Craig, Bill <bill.m.craig@aecom.com>; Kennedy, Timothy A CIV USARMY
USACE (US) <Timm.A.Kennedy@usace.army.mil>; Newman, Sheila M CIV USARMY CEPOA (US)
<Sheila.M.Newman@usace.army.mil>; DonlinEISAR <DonlinEISAR@urs.com>
Subject: RE: Donlin Gold EIS - EPA invited review of Health Impact Assessment SOW

Greetings Richard,

Please find attached EPA's comments on the Scope of Work for the Donlin Gold Project Human Health Risk Assessment.

Let me know if you have any questions and/or would like to meet with EPA to discuss our comments.

Thank you for your patience.

Mark

----Original Message-----

From: Darden, Richard L CIV USARMY CEPOA (US) [mailto:Richard.L.Darden@usace.army.mil] Sent: Wednesday, February 15, 2017 9:57 AM

To: Jen, Mark < Jen. Mark@epa.gov>

Cc: Kissinger, Lon <Kissinger.Lon@epa.gov>; Eckley, Chris <Eckley.Chris@epa.gov>; Nogi, Jill <nogi.jill@epa.gov>; Soderlund, Dianne <Soderlund.Dianne@epa.gov>; Allnutt, David <Allnutt.David@epa.gov>; Craig, Bill <bill.m.craig@aecom.com>; Kennedy, Timothy A CIV USARMY USACE (US) <Timm.A.Kennedy@usace.army.mil>; Newman, Sheila M CIV USARMY CEPOA (US) <Sheila.M.Newman@usace.army.mil>; DonlinEISAR <DonlinEISAR@urs.com> Subject: Donlin Gold EIS - EPA invited review of Health Impact Assessment SOW

Hi Mark,

As we mentioned last week, I am forwarding a proposed scope of work (SOW) prepared by Donlin Gold and already reviewed by the Corps (AECOM assistance, of course). This SOW addresses additional efforts regarding Human Health Risk Assessment and should be useful in communicating information on this topic to the public via the EIS.

I know that both Donlin and the Corps are very interested in having your feedback prior to the onset of any work. The document is not lengthy, so if possible I would request your written feedback within one week from today...and as mentioned earlier, we would welcome an opportunity to meet with EPA and Donlin to discuss the SOW one final time after receiving your feedback. This would make a meeting possible on February 23 or 24 if that would work for all of us. I am happy to work on arranging meeting details if you can confirm your best date at your earliest convenience.

P.S.

I normally would not use "Reply All" where a lengthy message string gets longer. However, in this case it may be useful for reviewers to have easy access to the string below as you look over the attached.

Thanks, Richard

Richard L. Darden, Ph.D. Regulatory Division Alaska District U.S. Army Corps of Engineers JBER Anchorage, AK 99506

(907) 753-5710

----Original Message-----

From: Jen, Mark [mailto:Jen.Mark@epa.gov] Sent: Monday, February 13, 2017 12:58 PM

To: Darden, Richard L CIV USARMY CEPOA (US) <Richard.L.Darden@usace.army.mil> Cc: Kissinger, Lon <Kissinger.Lon@epa.gov>; Eckley, Chris <Eckley.Chris@epa.gov>; Nogi, Jill

<nogi.jill@epa.gov>; Soderlund, Dianne <Soderlund.Dianne@epa.gov>; Allnutt, David

<Allnutt.David@epa.gov>

Subject: [EXTERNAL] RE: Donlin Gold EIS - RE: EPA Comments on the Donlin Gold Project Health Impact Assessment

Thanks Richard!

EPA appreciates your consideration of our comments on the Donlin Gold Project DEIS and HIA.

We look forward to reviewing the scope of work for the proposed human health risk evaluation for mercury, arsenic, and antimony. It would be worthwhile to have a meeting after our review and comment of the SOW.

Regards,

Mark

----Original Message-----

From: Darden, Richard L CIV USARMY CEPOA (US) [mailto:Richard.L.Darden@usace.army.mil] Sent: Wednesday, February 08, 2017 10:44 AM

To: Jen, Mark < Jen. Mark@epa.gov>

Cc: Newman, Sheila M CIV USARMY CEPOA (US) <Sheila.M.Newman@usace.army.mil>; Craig, Bill <bill.m.craig@aecom.com>; Bruno, Jeff J (DNR) <jeff.bruno@alaska.gov>; sarah.yoder@alaska.gov; Kissinger, Lon <Kissinger.Lon@epa.gov>; Eckley, Chris <Eckley.Chris@epa.gov>; Kennedy, Timothy A CIV USARMY USACE (US) <Timm.A.Kennedy@usace.army.mil>; Steele, Marie C (DNR) <marie.steele@alaska.gov>

Subject: Donlin Gold EIS - RE: EPA Comments on the Donlin Gold Project Health Impact Assessment

Hi Mark,

Thanks for your message last Friday. It came to us at a very good time for a couple of reasons. In the weeks following the December (2016) Technical Discussions we have been actively engaged in following-

up internally on our draft responses to comments on health risk, as well as interacting with Donlin about additional information that may help evaluate and communicate the proposed project's likely contribution to those risks.

We actually met with Donlin yesterday to discuss a proposed scope of work for their consultant ERM to prepare a human health risk evaluation that will focus on mercury, arsenic, and antimony. Based on our discussion with them, Donlin plans to prepare a scope of work that can be made available to EPA for review prior to any work taking place. I expect that this scope of work will be available as soon as this Friday (Feb 10). I will plan to send it to you for your information and review, and then be happy to facilitate a meeting among EPA, Donlin and the Corps/AECOM to discuss the proposed scope of work.

Based on the comments received and the discussions we have had during the comment analysis period, we are looking forward to additional evaluation and results that can be used to characterize the proposed project's role in these types of health risks.

Thanks. Richard

Richard L. Darden, Ph.D. **Regulatory Division** Alaska District U.S. Army Corps of Engineers JBER Anchorage, AK 99506

(907) 753-5710

----Original Message----

From: Jen, Mark [mailto:Jen.Mark@epa.gov] Sent: Friday, February 03, 2017 4:38 PM

To: Darden, Richard L CIV USARMY CEPOA (US) <Richard.L.Darden@usace.army.mil>

Cc: Newman, Sheila M CIV USARMY CEPOA (US) <Sheila.M.Newman@usace.army.mil>; Craig, Bill <bill.m.craig@aecom.com>; Bruno, Jeff J (DNR) <jeff.bruno@alaska.gov>; sarah.yoder@alaska.gov; Kissinger, Lon <Kissinger.Lon@epa.gov>; Eckley, Chris <Eckley.Chris@epa.gov>

Subject: [EXTERNAL] EPA Comments on the Donlin Gold Project Health Impact Assessment

Greetings Richard,

As you recall, one of EPA's comments on the Donlin Gold Project Draft EIS was regarding the Health Impact Assessment prepared by the Alaska Department of Health and Social Services. EPA expressed concerns that the HIA was not made available for public review. As the interim Corps Project Manager, Sheila provided the cooperating agencies with a copy of the Donlin HIA and invited comments. We understand that ADHSS does not plan to make revisions to the HIA. However, Sheila indicated that cooperating agency comments on the HIA would be addressed in the Donlin EIS.

Please find attached EPA comments on the Donlin Gold Project HIA. These comments have been prepared by Lon Kissinger. He is an EPA Risk Assessor in our Regional Office in Seattle. Questions regarding these comments should be directed to Lon at (206) 553-2115 or kissinger.lon@epa.gov <mailto:kissinger.lon@epa.gov> . Lon's expertise is in the area of human health risks posed by exposure to hazardous chemicals. These comments are largely limited to that area. He has included cross

references to similar comments EPA provided on the DEIS.

Deliberative Process / Ex. 5

Thank you for your consideration of EPA's comments on the Donlin Gold Project HIA. Questions regarding our comments should be directed to Lon Kissinger at (206) 553-2115 or kissinger.lon@epa.gov <mailto:kissinger.lon@epa.gov> .

Mark S. Jen

U.S. Environmental Protection Agency, Region 10

Alaska Operations Office

222 W. Seventh Avenue #19

Anchorage, Alaska 99513-7588

(907) 271-3411

From: Jen, Mark

Location: R10AOO-Room-Raven-25-VTC/R10-Rooms-AOO

Importance: Normal

Subject: Donlin Gold Project - RA Briefing

 Start Time:
 Tue 1/23/2018 10:00:00 PM

 End Time:
 Tue 1/23/2018 11:00:00 PM

Required Attendees: LaCroix, Matthew; Fordham, Tami

Donlin Gold Briefing Jan 2018.pptx

Hi Matt and Tami,

I reserved the Raven Conference Room for the RA briefing tomorrow. It starts at 1:15, but I have reserved the conference room earlier.

Crooked Creek Airstrip Exploration Camp DONLIN GOLD PROJECT

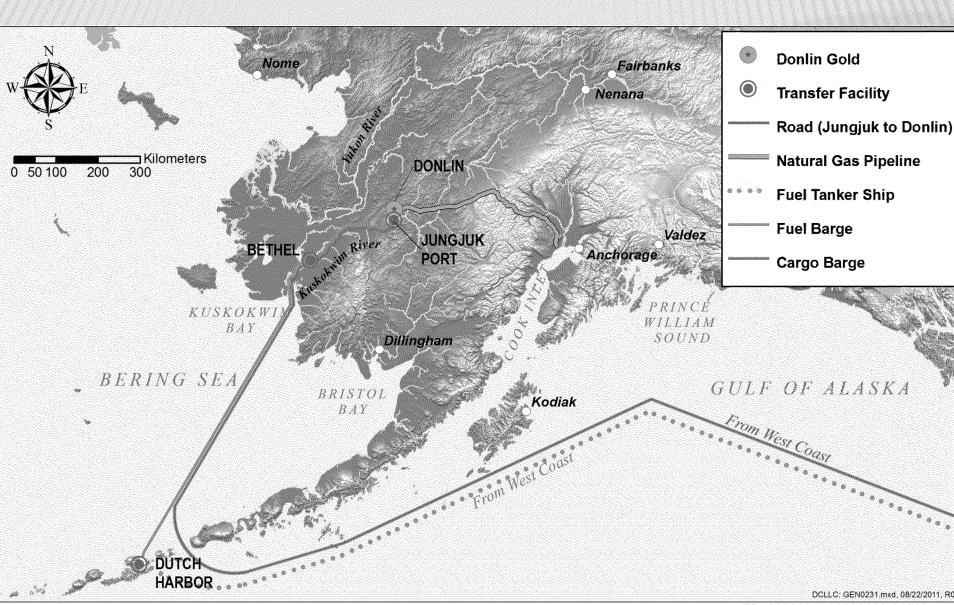
January 2018

Tailings Storage Facility
TSF

-

PROPOSED PROJECT

■ MINE ■ TRANSPORTATION INFRASTRUCTURE ■ PIPELINE ■



STAKEHOLDERS

DONLIN GOLD LLC

LANDOWNERS

Mine Site (ANCSA)

- Calista Corp. (subsurface)
- Kuskokwim Corp. (surface)

Transportation Infrastructure

 Calista, Kuskokwim, State, City of Bethel

Natural Gas Pipeline Right-of-Way

- State of Alaska (66%)
- Federal BLM (31%)
- Calista Corp. & Cook Inlet (CIRI)

RESIDENTS (Y-K Region)

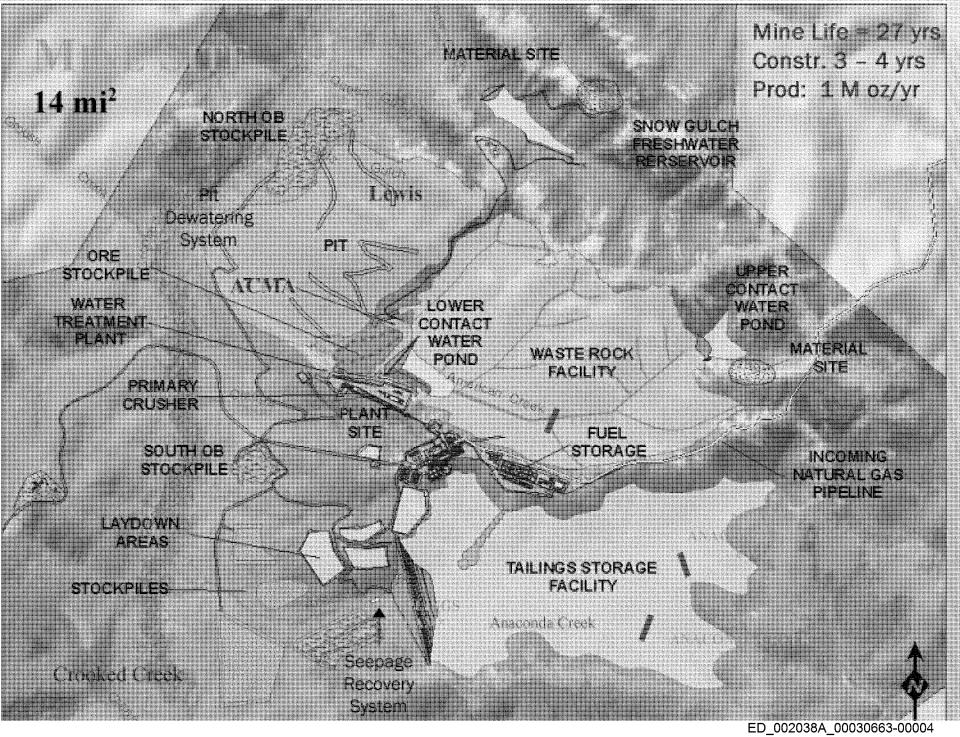
Alaska Tribes (66)

EIS DEVELOPMENT

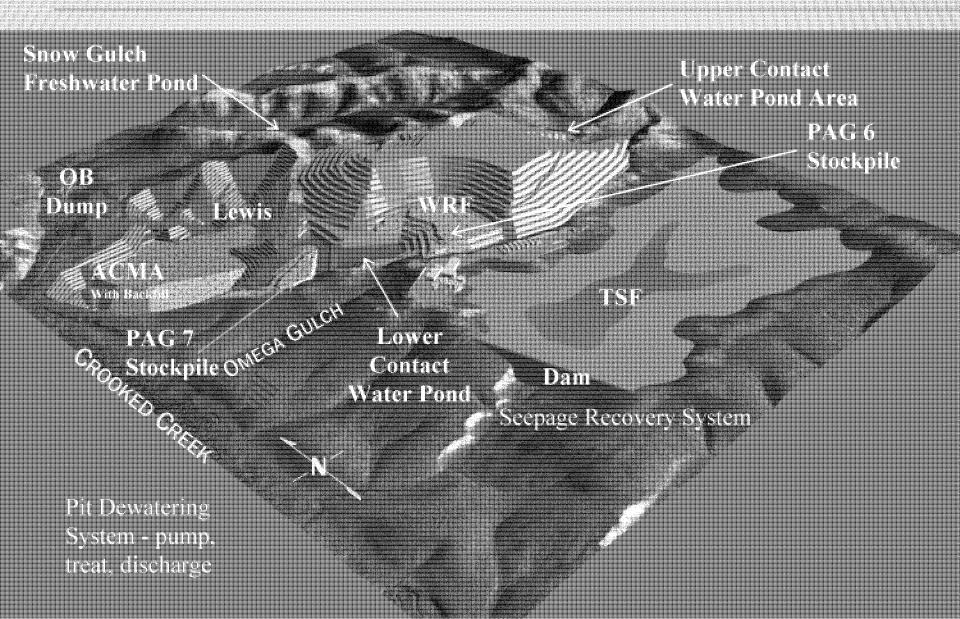
Corps of Engineers – Lead

Cooperating Agencies

- EPA, BLM, PHMSA, USFWS
- State ADNR, ADEC, ADFG
- Tribal Governments (5)



WATER MANAGEMENT



FOCUS OF EIS REVIEW

In May 2016, Region 10 commented on the draft EIS, providing an Environmental Objections (EO) rating. We continue to work with the Corps to reduce the impacts from this project. We started working early to share what's needed to protect:

- Surface and Ground Water Quality
- Human Health Subsistence Impacts
- Permafrost
- Wetlands/Aquatic Resource Impacts

CWA 404(B)(1) GUIDELINES COMPLIANCE

- The 2016 DEIS contained
 - Acreage values for aquatic resource impacts that the Alaska District Corps of Engineers considered inaccurate
 - Information on aquatic resource function and impact significance that the District planned to remove in the FEIS
 - No analysis of compensatory mitigation for impacted aquatic resources
- The DEIS did not evaluate compliance with the 404(b)(1) Guidelines, although the District requested that Donlin prepare this analysis in 2012

CWA 404(q) DISPUTE RESOLUTION

- In 2016, the Corps issued the CWA § 404 Public Notice concurrent with the DEIS
 - Pursuant to the CWA § 404(q) MOA, EPA submitted a 3(a) letter on May 31, 2016 and 3(b) letter on June 27, 2016
- In December 2017, Donlin submitted a revised § 404 permit application to the Corps, including accurate estimates of wetlands acreage/impacts
- The Corps plans to issue a revised Public Notice concurrent with the FEIS
- We will review the revised permit application, together with the FEIS (expected spring 2018), to determine whether issues raised in 3(b) letter have been resolved

CWA 404/COMPENSATORY MITIGATION

- Donlin's revised CWA § 404 application includes a compensatory mitigation plan
- Unavoidable Permanent Impacts
 - 2,053 acres of wetlands and 156,755 linear feet (29.7 mi)
 of streams
- No compensation proposed for 1,753 acres of life-of-mine "temporary" impacts
- Alaska District Credit/Debit Method not used no functional assessment included
- Permittee Responsible Mitigation proposed
 - Restoration in Upper Crooked Creek watershed
 - Preservation in Chuitna Creek watershed

FINANCIAL CONSIDERATIONS

MINE SITE/TRANSPORTATION INFRASTRUCTURE				
Reclamation & Closure		\$259 M		
Long-Term Post Closure/Water Quality (Trust Fund)		\$73 M		
PIPELINE				
Removal, Abandonment, Reclamation		\$10 M		
	TOTAL:	\$342 M		

State of Alaska & BLM

- Manage/Implement Financial Assurance Instrument
- Letter of Credit and/or Surety Bond

NEPA COOPERATING AGENCY ENGAGEMENT

- On-going meetings with the Corps & Donlin
- Reviewed the Preliminary Final EIS comments sent September 2017
- Technical Issues Meeting to discuss those comments scheduled for February 1, 2018
- FEIS Anticipated Spring 2018 we will review and provide final comment letter